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WILLIAM IV.

28° VICTORIÆ, 1865.

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THE SEVENTH DAY OF FEBRUARY 1865

TO

THE TWENTIETH DAY OF MARCH 1865.

First Volume of the Session.

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Affirmations (Scotland) Bill—(*Mr. Edward Craufurd*)—*ordered* 579

LORDS, THURSDAY, FEBRUARY 23.

Distress in the Cotton Manufacturing Districts—Mr. Farnall—Observations (*Earl Fortescue*):—Short debate thereon 580
North West Territory, British North America—Question, Lord Wharncliffe; Answer, Earl Granville 583

COMMONS, THURSDAY, FEBRUARY 23.

Controverted Elections—Chairmen's Panel 589
Piccadilly and Park Lane New Road Bill—(*by Order*)—
Motion made, and Question proposed, "That the Bill be now read a second time" 589
Amendment proposed, To leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Sir James Fergusson*):—Question proposed, "That the word 'now' stand part of the Question."
After debate, Amendment, by leave, *withdrawn:* — Main Question put, and *agreed to:*—Bill read 2°, and *committed.*
Greenwich Union—Cases of Mary Moriarty, Julia Hannon, and Others—Question, Mr. Maguire; Answer, Mr. C. P. Villiers 596
Madras Irrigation Company—Question, Mr. Smollett; Answer, Sir C. Wood.. 598
Prisoners in Newgate—Question, Mr. Locke; Answer, Sir George Grey .. 599
Scotch Medical Practitioners — Question, Mr. Black; Answer, The Lord Advocate 599
Regent's Park—Bridge over the Canal — Question, Mr. Harvey Lewis; Answer, Mr. Cowper 600
Cowes Trinity Pilots—Question, Mr. Clifford; Answer, Lord C. Paget .. 600
Waterworks and Reservoirs—Question, Mr. Ferrand; Answer, Sir G. Grey.. 600
Courts of Justice Building Bill [Bill 5]—
Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Attorney General*) 601
Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day month, resolve itself into the said Committee," instead thereof:—(*Sir Henry Willoughby*): — Question proposed, "That the words proposed to be left out stand part of the Question."
After short debate, *agreed to:*—Main Question put, and *agreed to:*—Bill *considered* in Committee:—Bill *reported.*
Courts of Justice Concentration (Site) Bill [Bill 11]—
After short debate, Bill read 2°, and *committed* to a Select Committee:—List of the Committee 607

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Bank Notes Issue Bill [Bill 12]—

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chancellor of the Exchequer*) 608

Amendment proposed,

"To leave out from the word "That" to the end of the Question, in order to add the words "it is expedient to inquire into the working and effects of the Acts 7 & 8 *Vict.* c. 32, and 8 & 9 *Vict.* c. 38, regulating Banks of Issue in the United Kingdom, and that, in the meantime, the Second Reading of the Bill before the House be postponed,"—(*Mr. Buchanan*,)—instead thereof 608

Question proposed, "That the words proposed to be left out stand part of the Question."

After debate, Amendment, by leave, *withdrawn*:—Main Question put, and *agreed to*:—Bill read 2°, and *committed* for *Thursday*, March 16.

Election Petitions Act (1848) Amendment Bill [Bill 19]—

After short debate, Bill *considered* in Committee, and Reported without Amendment 632

Writs Registration (Scotland)—Motion for leave (*The Lord Advocate*) 633

After short debate, Motion *agreed to*:—Bill *ordered*; read 1° [Bill 41.]

LORDS, FRIDAY, FEBRUARY 24.

Attorneys and Solicitors' Bill—

Bill to amend the Law relating to Attorneys and Solicitors—*presented*, and read 1ª.—(*The Lord Chancellor*) (No. 15.) 634

PATENT RIGHTS — SHEPARD'S PATENT BILL — WRIGHT'S PATENT BILL — Observations, Lord Redesdale 635

METROPOLITAN SEWAGE—REPORT OF THE SELECT COMMITTEE—Observations, The Earl of Longford:—Debate thereon 636

COMMONS, FRIDAY, FEBRUARY 24.

Liverpool Licensing Bill—(by Order)—

Motion made, and Question proposed, "That the Bill be now read a second time" 642

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the granting of Licences for the sale of intoxicating liquors is a subject which ought not at present to be dealt with by any Private Bill,"—(*Mr. Lawson*,)—instead thereof.

After debate, Question, "That the words proposed to be left out stand part of the Question," put, and *negatived*:—Words *added*:—Main Question as amended, put, and *agreed to*.

Resolved, That the granting of Licences for the sale of intoxicating liquors is a subject which ought not at present to be dealt with by any Private Bill.

INDIA—NAVIGATION OF THE GODAVERY—Question, Mr. Smollett; Answer, Sir Charles Wood 658

THE RIVER PLATE—BRAZIL AND URUGUAY—Question, Mr. Maguire; Answer, Mr. Layard 658

RATING OF MINES AND TIMBER—Question, Mr. Lyall; Answer, Mr. C. P. Villiers 659

CAPTAIN SAYER'S LIFEBOAT—Question, Sir John Hay; Answer, Lord C. Paget 659

THE BALLOT—Question, Mr. Berkeley; Answer, Sir George Grey .. 660

IRELAND—RIVER SHANNON—Question, Colonel French; Answer, Mr. Peel .. 660

UNITED STATES — PASSPORT SYSTEM—Question, Mr. Watkin; Answer, Mr. Cardwell 660

SUPPLY—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair;"—

Supply—Committee—*continued.*

State of Ireland—Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "this House observes with regret the decline of the population of Ireland, and will readily support Her Majesty's Government in any well-devised measure to stimulate the profitable employment of the people,"—(*Mr. Hennessy,*)—instead thereof ... 661
Question proposed, "That the words proposed to be left out stand part of the Question."
After long debate, Motion made, and Question proposed, "That the debate be now adjourned," —(*Mr. Maguire:*) — Motion *negatived:* — Debate *resumed.*
After further debate, Debate *adjourned* till *Monday* next.

Valuation of Lands and Heritages (Scotland)—
Select Committee *appointed* (*Mr. Dunlop*) 733
And on March 8, Select Committee *nominated.* [See *p.* 1364].

Game Ireland (Bill)—(*Sir Hervey Bruce*)—*ordered;* read 1° [Bill 42.]

Sheep, etc. Protection Ireland (Bill)—(*Sir Frederick Heygate*) *ordered;* read 1° [Bill 43.]

LORDS, MONDAY, FEBRUARY 27.

Roach River Fishery Bill—
Moved, "That the Bill be now read 2ª" 734
After short debate, Motion *agreed to:*—Bill read 2ª.

Sewage Manure—Report of the Select Committee—Explanation (*The Earl of Essex*) 735

Patent Rights — Shepard's, Wright's, and Spencer's Patents Bills—Observations (*Lord Redesdale*) 736

Transportation to Australia—Petitions (*Lord Taunton*) 737

Public Records relating to Ireland—The Carew and Carte Records—Question, The Marquess of Clanricarde; Answer, Earl Granville .. 741

Opposed Private Bills—Resolutions as to Petitioners against Private Bills (*The Chairman of Committees*) 743

COMMONS, MONDAY, FEBRUARY 27.

Great Yarmouth Borough, Haven and Port Bill—(*by Order*)—
Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Sir Henry Stracey*) 744
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months," (*Mr. Warner:*)—Question proposed, "That the word 'now' stand part of the Question."
After debate, Question put:—The House *divided;* Ayes 129, Noes 17; Majority 112:—Main Question put, and *agreed to:*—Bill read 2°, and *committed.*

Number of the Army—Question, Colonel Gilpin; Answer, The Marquess of Hartington 746

Prison Libraries—Question, Mr. Hardcastle; Answer, Sir George Grey .. 747

Titles to Land Registration (Ireland)—Question, Mr. Scully; Answer, Sir George Grey 747

Subsidy to the African Merchants' Company—Question, Mr. White; Answer, The Chancellor of the Exchequer 747

Sea Fisheries—Question, Mr. M'Mahon; Answer, Mr. Milner Gibson .. 748

Ireland—The Brehon Laws—Question, Mr. M'Mahon; Answer, Mr. Peel .. 748

Refreshment Houses Act—Question, Sir Charles Douglas; Answer, Sir G. Grey 749

Duchies of Schleswig and Holstein—Question, Sir Harry Verney; Answer, Mr. Layard 749

Navy Estimates—Question, Sir John Pakington; Answer, Lord Clarence Paget 750

STATE OF IRELAND — RESOLUTION — (Amendment on Committee of Supply) —Adjourned debate [24*th February*] resumed 750

Question, "That the words proposed to be left out stand part of the Question," put:—The House *divided;* Ayes 107, Noes 31; Majority 76:—Division List, Ayes and Noes 828

Main Question put, and *agreed to.*

SUPPLY *considered* in Committee:—Committee report Progress; to sit again on *Wednesday.*

Inns of Court Bill—(*Sir George Bowyer*)—After short debate, read 1° [Bill 44.] 829

AGRICULTURAL PARISHES—MOTION FOR RETURNS—

After short debate, Return *ordered,*

"Showing the names of the 821 Agricultural Parishes stated as having decreased in houses and increased in population between 1851 and 1861, and the counties in which such parishes are situated,"—(*Mr. Knight*) 830

Motion made, and Question proposed,

"That there be laid before this House, Returns showing the number of Inhabitants and Inhabited Houses in each of the 821 Agricultural Parishes stated as having decreased in houses and increased in population between 1851 and 1861, in each Census from 1801 to 1861:

And, showing what Manufactures or Mines, if any, are carried on or worked in each of the said parishes, if the Census contains such information,"—(*Mr. Knight*)

After further short debate, Debate *adjourned* till *To-morrow.*

LORDS, TUESDAY, FEBRUARY 28.

House *adjourned,* without debate.

COMMONS, TUESDAY, FEBRUARY 28.

Metropolitan Sewage and Essex Reclamation Bill—(*by Order*)—

Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Sir William Russell*) 832

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six weeks:"—(*Mr. Crawford:*) —Question proposed, "That the word 'now' stand part of the Question"

After debate, Amendment, by leave, *withdrawn:*—Main Question put, and *agreed to:*—Bill read 2°, and *committed* to a Select Committee.

Ordered, That it be an Instruction to the Committee on the Bill, to inquire into the most useful and profitable means of disposing of the Metropolitan Sewage on the north side of the Thames,—(*Mr. Ayrton.*)

MILITIA TRAVELLING ALLOWANCES—Question, Sir Henry Stracey; Answer, The Marquess of Hartington 846

THE HERRING FISHERY (SCOTLAND)—Question, Mr. H. Baillie; Answer, Sir George Grey 846

THE SLAVE TRADE—Question, Mr. Cave; Answer, Mr. Layard 846

COURTS OF COMMON LAW (IRELAND)—Question, Mr. Butt; Answer, Sir R. Peel 847

EDUCATION—MOTION FOR A SELECT COMMITTEE—

Motion made, and Question proposed,

"That a Select Committee be appointed, to inquire into the Constitution of the Committee of Council on Education, and the system under which the business of the office is conducted,"—(*Sir John Pakington*) 847

Amendment proposed, at the end of the Question, to add the words,

"And also into the best mode of extending the benefits of Government Inspection and the Parliamentary Grant to Schools at present unassisted by the State:"—(*Mr. Walter:*)—

After long debate, Question, "That those words be there added," put, and *agreed to:*—Words *added:*—Main Question, as amended, put, and *agreed to.*

Select Committee *appointed* "to inquire into the Constitution of the Committee of Council on Education, and the system under which the business of the office is conducted, and also into the best mode of extending the benefits of Government Inspection and the Parliamentary Grant to Schools at present unassisted by the State."

List of the Committee 926

Courts of Justice Concentration (Site) Bill [Bill 11]—

Motion made, and Question proposed,

"That it be an Instruction to the Select Committee on the Courts of Justice Concentration (Site) Bill, that they have power to make provision for appropriating or obtaining sites, and for the erection of lodging-houses or other suitable dwellings for the working classes proposed to be displaced by the said Bill,"—(*Mr. Kinnaird*) ... ..

After debate, Amendment proposed, to leave out the word "make," in order to insert the words "inquire into the practicability and expediency of making,"—instead thereof:—(*Mr. Hennessy:*)—Question put, "That the word 'make' stand part of the Question:" — The House *divided;* Ayes 18, Noes 8; Majority 10.

COMMONS, WEDNESDAY, MARCH 1.

Law of Evidence, &c., Bill [Bill 20]—

Moved, "That the Bill be now read a second time,"—(*Sir FitzRoy Kelly*) 939

After debate, Motion *agreed to:*—Bill read 2°, and *committed* for *Wednesday,* 22nd March.

Criminal Cases (Evidence) Bill [Bill 8]—Second Reading *deferred* till *Wednesday,* 22nd March 945

Church Attendance on Sunday Bill [Bill 46]—

Church Attendance on Sunday—*considered* in Committee.

(In the Committee.)

After debate, *Resolved,* That the Chairman be directed to move the House, That leave be given to bring in a Bill for the abolition of Fines for non-attendance at a place of Divine Worship on Sunday,—(*Mr. Clifford*) 946

Bill *ordered* to be brought in by Mr. Clifford, Mr. Arthur Russell, and Mr. Shaw Lefevre:—Bill *presented,* and read 1°. [Bill 46.]

Metropolitan Toll-Bridges Bill—

Motion made, and Question proposed,

"That leave be given to bring in a Bill to facilitate the traffic of the Metropolis and to improve the communications across the River Thames by opening the present Toll Bridges for the free use of the public,"—(*Mr. Alderman Salomons*) 949

After debate, Motion *agreed to.*

Bill *ordered* to be brought in by Mr. Alderman Salomons, Mr. Locke, and Mr. Jackson: — Bill *presented,* and read 1°, and referred to the Examiners of Petitions for Private Bills. [Bill 47.]

Writs Registration, &c. (Scotland) Bill—

Motion made, and Question proposed,

"That leave be given to bring in a Bill to improve the system of Registration of Writs relative to Land in Scotland, and to amend the Law relating to inhibitions and adjudications,"—(*Mr. Dunlop.*) 951

After debate, Motion *agreed to.*

Bill *ordered* to be brought in by Mr. Dunlop, Sir James Fergusson, and Mr. Buchanan:—Bill *presented,* and read 1°. [Bill 48.]

LORDS, THURSDAY, MARCH 2.

British Museum — Petition of Trustees of the British Museum (*Earl Stanhope*) 956

After debate, Petition *ordered* to lie on the table.

COMMONS, THURSDAY, MARCH 2.

Borough Franchise Extension Bill — Question, Mr. Collins; Answer, Mr. Baines 957

Government Annuities—Question, Mr. Ayrton; Answer, Mr. Peel .. 957

Foreign Statistics—Question, Mr. White; Answer, Mr. Milner Gibson .. 958

Taxes in Europe—Question, Mr. White; Answer, Mr. Layard .. 958

Scotch Judicial Statistics—Question, Colonel Sykes; Answer, The Lord Advocate 958

Masters and Staff Commanders of the Navy—Question, Sir Lawrence Palk; Answer, Lord Clarence Paget 959

Government Annuities—Question, Mr. Salt; Answer, The Chancellor of the Exchequer 959

Armstrong Guns for Foreign Governments—Question, Mr. Laird; Answer, The Marquess of Hartington 960

Navy—The "Royal Sovereign"—Question, Mr. Laird; Answer, Lord Clarence Paget 961

Navy—Rumoured Loss of the "Galatea"—Question, Sir John Pakington; Answer, Lord Clarence Paget 961

Supply—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Navy Armaments—Motion for a Select Committee—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire whether Her Majesty's Ships are at present armed in a manner suited to the necessities and requirements of modern warfare,"—(*Mr. Henry Baillie,*)—instead thereof 962

Motion made, and Question proposed, "That the words proposed to be left out stand part of the Question."

After long debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 57, Noes 22; Majority 35.

Chaplain General of the Navy—Observations, Sir Harry Verney, 1003; Reply, Mr. Childers 1017

Dockyard Accounts—Observations, Mr. Seely, 1010; Reply, Mr. Childers .. 1017

Treatment of Prisoners in Newgate—Observations, Mr. Locke; Reply, Sir George Grey 1022

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY *considered* in Committee:—Committee report Progress; to sit again *To-morrow.*

Courts of Justice Building Bill [Bill 5]—
Bill read 3°, and *passed* 1026

Court of Chancery (Ireland) (Nos. 2 & 3) Bills—(*Mr. Whiteside*)
Bills read 2°, and *committed* for *Thursday* next 1027

Taxation of Ireland—
Select Committee *re-appointed*—(*Colonel Dunne*) 1027
Instruction (*Sir Stafford Northcote*)

Colonial Naval Defence Bill—On Motion of *Mr. Cardwell*, after debate, Bill to make better provision for the Naval Defence of the Colonies, *ordered* to be brought in by Mr. Secretary Cardwell, Lord Clarence Paget, Mr. Chichester Fortescue, and Mr. Childers 1027

LORDS, FRIDAY, MARCH 3.

County Courts Equitable Jurisdiction Bill (No. 9)—
Moved, That the Bill be now read 2ª—(*The Lord Chancellor*) .. 1030
After debate, Motion *agreed to:*—Bill read 2ª, and *referred* to a Select Committee:—List of the Committee 1041

COMMONS, FRIDAY, MARCH 3.

Waterworks Bill—Question, Mr. Ferrand; Answer, Mr. Milner Gibson .. 1042

Sheriff Courts (Scotland) — Question, Mr. Baxter; Answer, The Lord Advocate 1042

Army—Sentences of Courts Martial — Question, Mr. Morritt; Answer, Mr. Headlam 1042

Army—Military Reserve Fund — Question, Lord Hotham; Answer, The Marquess of Hartington 1043

Indian Staff Appointments—Question, Mr. Torrens; Answer, The Marquess of Hartington 1043

Egypt—The Suez Canal—Question, Mr. Darby Griffith; Answer, Viscount Palmerston 1044

Deputy Lieutenancy of the Tower—Question, Sir John Trelawny; Answer, The Marquess of Hartington 1044

Confederate States Cruisers — Question, Mr. Shaw Lefevre; Answer, Mr. Layard 1044

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Monastic and Conventual Establishments—Amendment proposed, "To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the existence, character, and increase of Monastic or Conventual Societies or Establishments in Great Britain,"—(*Mr. Newdegate*,)—instead thereof 1045

Question proposed, "That the words proposed to be left out stand part of the Question."

After long debate, Question put:—The House *divided;* Ayes 106, Noes 79; Majority 27:—Division List, Ayes and Noes 1086

Wakefield Gaol—Observations, Mr. Neate:—Debate thereon .. 1087

Army—The Ordnance Survey—Question, Sir William Jolliffe; Answer, The Marquess of Hartington 1091

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY *considered* in Committee:—Committee report Progress; to sit again on *Monday* next.

British Kaffraria (*re-committed*) **Bill** [Bill 45]—
After debate, Bill *considered* in Committee:—Bill *reported* 1093

LORDS, MONDAY, MARCH 6.

Military Hospitals at Netley and Woolwich—Observations, The Earl of Dalhousie; Reply, Earl De Grey and Ripon:—Long debate thereon .. 1099

COMMONS, MONDAY, MARCH 6.

The Poor Law—Question, Mr. Mitford; Answer, Mr. C. P. Villiers .. 1115

The Licensing Laws—Question, Mr. Lawson; Answer, Sir George Grey .. 1116

Storage of Gunpowder — Question, Mr. Serjeant Kinglake; Answer, Sir George Grey 1116

Inclosure of Fulmer Common—Question, Mr. Shaw Lefevre; Answer, Mr. Peel 1116

The Trinity Board—Steam Tugs—Question, Mr. Cave; Answer, Mr. Milner Gibson 1117

Navy—Portsmouth Dockyard—Question, Mr. Laird; Answer, Lord C. Paget 1117

Diseases in Cattle—Question, Mr. Leslie; Answer, Mr. T. G. Baring .. 1117

India—Native Artillery—Question, Mr. Vansittart; Answer, Sir C. Wood.. 1118

China — Taxation at Hong Kong — Question, Mr. Leslie; Answer, Mr. Cardwell 1119

Navy—Dockyard Expenditure—Question, Mr. Laird; Answer, Lord C. Paget 1119

Alleged Irregularities in the Patent Office—Question, Lord Stanley; Answer, The Attorney General 1120

Army—Military Store Department—Question, Mr. Gregory; Answer, The Marquess of Hartington 1123

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Railway Accidents—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the question, in order to add the words "in consequence of the frequency and of the increasing number of Accidents on Railways, and the absence of any power in the executive Government to interfere for their better prevention, it is, in the opinion of this House, desirable that power should be vested by Act of Parliament in the Board of Trade, or in some other Department of the Government, to institute an inquiry into the causes of any accidents which may occur on Railways, with powers to call for all papers and to examine witnesses on oath; and that powers should be vested in such Department to frame and issue from time to time any regulations for the conduct of the traffic on Railways which it may deem necessary for the safety and convenience of the public; and that all Companies or persons engaged in the conduct of Railway traffic shall be bound to adhere to such regulations under such penalties as may be prescribed by Act of Parliament,"—(*Mr. Bentinck,*)—instead thereof 1124

Question proposed, "That the words proposed to be left out stand part of the Question."

After debate, Question put, and *agreed to.*

Wages in Dockyards—Observations, Mr. Ferrand; Reply, Mr. Childers .. 1136

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—Navy Estimates—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That 69,750 Men and Boys be employed for the Sea and Coast Guard Services for the year ending on the 31st day of March, 1866, including 17,000 Royal Marines,"—(*Lord Clarence Paget*) 1171

After long debate, House *resumed:*—Committee report Progress; to sit again on *Wednesday.*

Agricultural Parishes—Returns Moved for—(*Mr. Knight.*)
After short debate, *ordered* 1201

Partnership Amendment—*considered* in Committee—Bill *ordered* 1202

LORDS, TUESDAY, MARCH 7.

Leonard Edmunds, Esq.—Resignation of Certain Offices—

On Motion of *The Lord Chancellor*, after debate,—

Select Committee *appointed,* "to inquire into all the Circumstances connected with the Resignation by Mr. Edmunds of the Offices of Clerk of the Patents and Clerk to the Commissioners of Patents, and with his Resignation of the Office of Reading Clerk and Clerk of Outdoor Committees in this House; and also into all the Circumstances connected with the Grant of a Retiring Pension to him by this House."—(*The Lord Chancellor*) 1221

List of the Committee.

Bankruptcy and Insolvency (Ireland) Bill (No. 24)—

Moved, "That the Bill be now read 2^{a},"—(*The Lord Steward*) .. 1221

After short debate, Motion *agreed to:*—Bill read 2^{a}, accordingly, and *committed* to a Committee of the whole House, on *Tuesday* next.

COMMONS, TUESDAY, MARCH 7.

MALT—RESOLUTION—

Motion made, and Question proposed,

"That in any future remission of Indirect Taxation, this House should take into consideration the Duty on Malt, with a view to its early reduction and ultimate repeal."—(*Sir FitzRoy Kelly*) 1223

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "considering the immunities from taxation now enjoyed by the owners and occupiers of land, they are not entitled to any special consideration on account of the pecuniary pressure of the Malt Tax; and that if, on other grounds, that Tax should be reduced or abolished, compensation to the Revenue should be sought, in the first instance, by withdrawing from landed property the advantage it now has over other property in the shape of total exemption from Probate Duty and partial exemption from Succession Duty and Income Tax,"—(*Mr. Neate,*)—instead thereof 1252

Question proposed, "That the words proposed to be left out stand part of the Question."

After long debate, Amendment, by leave, *withdrawn.*

Original Question again proposed :—Whereupon *Previous Question* put, "That that Question be now put:" (*Mr. Hardcastle:*)—The House *divided;* Ayes 171, Noes 261; Majority 80 :—Division List, Ayes and Noes .. 1298

Municipal Corporations (Ireland) Act Amendment Bill—(*Mr. Blake*)—*ordered;* read 1° [Bill 54.] 1301

Public Offices (Site and Approaches) Bill—

Motion made, and Question proposed,

"That leave be given to bring in a Bill to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire additional Lands for improving the Site of the New Public Offices in Downing Street, and the Approaches thereto,"—(*Mr. Cowper*) ... 1301

After debate, Motion made, and Question proposed, "That the debate be now adjourned :—(*Mr. Packe:*)—After further debate, Motion, by leave, *withdrawn:*—Main Question put, and *agreed to.*

Bill *ordered* to be brought in by Mr. Cowper and Sir Charles Wood :—Bill *presented,* and referred to the Examiners of Petitions for Private Bills [Bill 55.]

Union Officers (Ireland) Superannuation Bill—(*Sir Robert Peel*)—*ordered;* read 1° [Bill 53.] 1308

Local Government Supplemental Bill—(*Mr. Baring*)—*ordered;* read 1° [Bill 58.] ... 1308

India Office (Site and Approaches) Bill—(*Mr. Cowper*)—*ordered;* read 1° [Bill 56.] 1308

Sheep and Cattle Bill—(*Mr. Henry Fenwick*)—*ordered;* read 1° [Bill 57.] ... 1308

COMMONS, WEDNESDAY, MARCH 8.

River Waters Protection Bill [Bill 3]—

Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Lord Robert Montagu*) 1309

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months :"—(*Mr. Jackson:*) —Question proposed, "That the word 'now' stand part of the Question" 1335

After long debate, Amendment, and Motion, *withdrawn:*—Bill *withdrawn.*

Sewage Utilization Bill [Bill 4]—

Moved, "That the Bill be now read a second time,"—(*Lord Robert Montagu*) 1360

After short debate, Motion *agreed to:*—Bill read 2°, and *committed* to a Select Committee.

Prisons Bill [Bill 15]—

Moved, "That the Bill be now read a second time,"—(*Sir George Grey*) .. 1361

After short debate, Motion *agreed to:*—Bill read 2°, and *committed* to a Select Committee.

County Voters Registration Bill—

Motion for leave (*Mr. Hunt:*)—After short debate, Bill *ordered;* read 1° [Bill 59] 1363

Valuation of Lands and Heritages (Scotland) Bill—Select Committee *nominated* 1364

Married Women's Property (Ireland) Bill — (*Mr. Longfield*)—*ordered;* read 1° [Bill 60.] 1364

Perth Provisional Order Confirmation Bill—(*Mr. Baring*) *ordered;* read 1° [Bill 61.] 1364

LORDS, THURSDAY, MARCH 9.

Abolition of Arrest upon Final Process Bill —

Bill to abolish Arrest upon Final Process in England except in cases where the debtor is in possession of property or in the receipt of an income which cannot be taken in execution:—(*The Lord Chancellor:*)—*presented,* and, After short debate, read 1ª (No. 26) 1365

THE RIVER PLATE — BRAZIL AND URUGUAY — Question, The Marquess of Clanricarde; Answer, Earl Russell 1367

COMMONS, THURSDAY, MARCH 9.

BRITISH AND NORTH AMERICAN STEAMSHIP COMPANY—Question, Mr. Baxter; Answer, Mr. Peel 1368

LEICESTER SQUARE—Question, Mr. Dawson; Answer, Mr. Cowper .. 1368

DIPLOMATIC RELATIONS WITH BRAZIL—Question, Mr. White; Answer, Viscount Palmerston 1369

PENSIONS OF OFFICERS OF THE HOUSE OF LORDS—Question, Mr. Darby Griffith; Answer, The Chancellor of the Exchequer 1370

THE RIVER PLATE—BRAZIL AND URUGUAY—Question, Mr. Maguire; Answer, Viscount Palmerston 1371

UNITED STATES—CLAIMS FOR COMPENSATION—Questions, Lord Robert Cecil and Mr. Bright; Answer, Mr. Layard 1372

SUPPLY—NAVY ESTIMATES—*considered* in Committee.

(In the Committee.)

(1.) Question [March 6.] again proposed,

"That 69,750 Men and Boys be employed for the Sea and Coast Guard Service for the year ending on the 31st day of March, 1866, including 17,000 Royal Marines,—(*Lord C. Paget*) 1373

After long debate, Vote *agreed to.*

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Sir James Elphinstone,*)—put, and *negatived* .. 1456

(2.) £2,945,006, Wages.

(3.) £1,325,694, Victuals and Clothing.

SUPPLY—REDEMPTION OF THE SCHELDT TOLL—

(4.) £175,650, Redemption of Scheldt Toll 1456

After short debate, Vote *agreed to:*—Resolutions to be reported *To-morrow:*—Committee to sit again *To-morrow.*

Isle of Man Disafforestation (Compensation) — *considered* in Committee 1457

(In the Committee.)

Resolved, That the Commissioners of Her Majesty's Woods, Forests, and Land Revenues be authorized to pay, out of the Capital of the Land Revenues of the Crown, such sums, not exceeding in the whole £2,500, as may be necessary to meet one moiety of the amount of the Compensation for certain Claims arising out of the Disafforestation of certain Lands in the Isle of Man.

Resolution to be reported *To-morrow.*

Union of Benefices Act Amendment Bill—

Moved, "That leave be given to bring in a Bill to amend the Union of Benefices Act,"—(*Mr. E. P. Bouverie*)—Amendment proposed— .. 1458

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copies of the Order in Council of the 1st day of November, 1864, for the removal of the Church of St. Benet's, Gracechurch Street:

"And, of all the Correspondence on the subject between the Archdeacon of London and the Members of the Church Estates Commissioners,"—(*Mr. Hubbard,*)—instead thereof ... 1460

Question proposed, "That the words proposed to be left out stand part of the Question."

After short debate, Question put:—The House *divided;* Ayes 21, Noes 11; Majority 10.

Locomotives on Roads Bill—(*Mr. Holland*)—*ordered* 1461

LORDS, FRIDAY, MARCH 10.

Barracks (Ireland)—Question, The Marquess of Clanricarde; Answer, Earl De Grey and Ripon 1461

Attorneys and Solicitors Bill (No. 15)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 1463

After debate, on Question, their Lordships *divided;* Contents 21, Not-Contents 23; Majority 2:—*Resolved* in the *Negative:*—List of the Contents and Not-Contents 1474

Leonard Edmunds, Esq.—Resignation of Certain Offices by—

Letters and Documents respecting: *Referred* to the Select Committee .. 1474

COMMONS, FRIDAY, MARCH 10.

Patent Laws—Question, Mr. Hibbert; Answer, The Attorney General .. 1475

Registration of County Voters—Question, Mr. Western; Answer, Mr. T. G. Baring 1475

Stipendiary Magistrates (Ireland)—Mr. Ffrench—Question, Sir Hervey Bruce; Answer, Sir Robert Peel 1476

University of London—Question, Mr. Grant Duff; Answer, Mr. Cowper .. 1478

Sewage of the Metropolis—Question, Mr. Blake; Answer, Mr. Tite .. 1479

Timber Duties—Question, Mr. J. B. Smith; Answer, The Chancellor of the Exchequer 1480

Ireland—Case of Patrick Doyle—Observations, Mr. Hennessy .. 1480

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

War in New Zealand—Observations, Mr. Arthur Mills: long debate thereon: Reply of Mr. Cardwell 1481

Medical Officers in Unions (Ireland)—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, Her Majesty's Government should now adopt the Recommendations of the Select Committee of 1858, which recommended Her Majesty's Government to take into consideration the claims of Ireland to a Grant of the half-cost of Medical Officers in Unions, with the view of providing for the same in future, as is now the practice in England and Scotland,"—(*Mr. MacEvoy,*)—instead thereof ... 1516

Question proposed, "That the words proposed to be left out stand part of the Question."

After debate, Question put:—The House *divided;* Ayes 37, Noes 34; Majority 3.

Dwellings for the Working Classes—Question, Mr. Augustus Smith; Answer, Mr. Tite 1525

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY *considered* in Committee; Committee report Progress; to sit again on *Monday* next.

Game (Ireland) Bill [Bill 42]—

Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Sir Hervey Bruce*):—Question put:—The House *divided;* Ayes 50, Noes 8; Majority 42:—Bill read 2°, and *committed* for *Friday* next 1528

Theatres, &c., Bill—(*Mr. Locke*)—*ordered;* read 1° [Bill 64.] 1529

Railway Travelling (Ireland Bill)—(*Sir Colman O'Loghlen*)—*ordered;* read 1° [Bill 66.]... 1530

LORDS, MONDAY, MARCH 13.

BRITISH MUSEUM—Withdrawal of Notice of Motion (*Earl Stanhope*) .. 1530

British Kaffraria Bill (No. 27)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Privy Seal*) .. 1531
After short debate, Motion *agreed to*:—Bill read 2ª, and *committed.*

Abolition of Arrest on Final Process (No. 2) **Bill** (No. 33)—(*The Lord Chancellor*)—
Abolition of Arrest on Final Process (No. 1) Bill *withdrawn;* then (No. 2) Bill), *presented;* read 1ª. (No. 33.) 1532

Public Schools Bill [H.L.]—(*The Earl of Clarendon*)—*presented;* read 1ª; (No. 32.) ... 1533

COMMONS, MONDAY, MARCH 13.

INFECTIOUS PATIENTS IN WORKHOUSES—Question, Colonel North; Answer, Viscount Enfield 1533

THE FINANCIAL STATEMENT—Question, Mr. White; Answer, The Chancellor of the Exchequer 1534

PETITION OF THE BRITISH MUSEUM TRUSTEES—Observations, Mr. Walpole; Reply, The Chancellor of the Exchequer 1534

CASE OF MARY RYAN—Question, Mr. Scully; Answer, Sir George Grey .. 1535

CONFEDERATE STATES—CASE OF CAPTAIN BEALE—Question, Mr. Peacocke; Answer, Mr. Layard 1536

NAVAL CHAPLAINS—Question, Mr. Lefroy; Answer, Mr. Childers .. 1536

EXTRADITION TREATY WITH THE UNITED STATES—Question, Lord Robert Cecil; Answer, The Attorney General 1537

CASE OF MAJOR GENERAL HUTT—Question, Mr. Roebuck; Answer, Mr. Hutt .. 1537

SUPPLY—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

DEFENCES OF CANADA—COLONEL JERVOIS' REPORT—Observations, Mr. Seymour Fitzgerald; Reply, Mr. Cardwell:—long debate thereon 1539

CONVENTUAL ESTABLISHMENTS — Question, Mr. Hennessy; Explanation, Mr. Newdegate 1637

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY *considered* in Committee:—Committee report Progress; to sit again on *Wednesday.*

WAYS AND MEANS *considered* in Committee.

(In the Committee.)

Resolved, That, towards making good the supply granted to Her Majesty, for the service of the year ending the 31st day of March 1865, the sum of £175,650 be granted out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.
Resolution to be reported *To-morrow:*—Committee to sit again on *Wednesday.*

Metropolitan Main Drainage [Guarantee of Repayment of Money] Bill—*considered* in Committee;—Resolution 1644

Justices of the Peace (Discretionary Powers) Bill—(*Sir Charles Douglas*)—*presented;* read 1° [Bill 69.] 1644

Judgments (Ireland) Bill—(*Mr. Whiteside*)—*presented;* read 1° [Bill 68.] ... 1644

County Voters Registration (Ireland) Bill—(*Sir Robert Peel*)—*presented;* read 1° [Bill 70.] 1644

Prisons Bill—Select Committee on the Prisons Bill *nominated;* List of the Committee... 1644

Sewage Utilization Bill—Select Committee on the Sewage Utilization Bill *nominated;* List of the Committee 1644

LORDS, TUESDAY, MARCH 14.

Bankruptcy and Insolvency (Ireland) Act Amendment Bill (No. 20)—

After short debate, referred to Select Committee :—List of the Committee 1645

CASE OF MARY RYAN—Observations, The Marquess of Westmeath; Reply, Earl Russell 1646

LEONARD EDMUNDS, ESQUIRE—

Select Committee on the Resignation of certain Offices by; and on the Pension granted to him by this House: *Ordered,* That the Witnesses before the said Committee be examined on Oath; and that the Evidence taken from Time to Time before the said Committee be *printed* for the Use of the Members of this House, but no Copies thereof to be delivered, except to the Members of the Committee, until further Order. (No. 30.)

COMMONS, TUESDAY, MARCH 14.

Lancashire and Yorkshire and Great Eastern Junction Railway Bill—(*by Order*)—

Motion made, and Question proposed, "That the Bill be now read a second time." 1653

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Viscount Galway:*)—Question proposed, "That the words proposed to be be left out stand part of the Question." 1654

After debate, Question put, "That the word "now" stand part of the Question:"—The House *divided;* Ayes 121, Noes 162; Majority 41:—Words *added:*—Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

SOUTH AMERICAN BEEF—Question, Mr. J. C. Ewart; Answer, Sir George Grey 1661

POOR LAW BOARD (IRELAND)—Question, Mr. O'Reilly; Answer, Sir R. Peel 1661

NAVY — CAPTAIN COLES'S CUPOLA — Question, Mr. Damer; Answer, Lord Clarence Paget 1661

VOLUNTEER OFFICERS — Question, Mr. Watkin; Answer, The Marquess of Hartington 1662

"WRECK ABSTRACT"—Question, Mr. Bentinck; Answer, Mr. Milner Gibson 1662

NAWAB OF THE CARNATIC—AZEEM JAH—

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the claim of His Highness Prince Azeem Jah to the title and dignity of Nawab of the Carnatic, and the claims of His Highness under a Treaty entered into in 1801 between the Honourable East India Company and His Highness Prince Azeem-ul-Dowlah."—(*Sir FitzRoy Kelly*) ... 1663

After long debate, Question put:—The House *divided;* Ayes 38, Noes 53; Majority 15.

Metropolitan Main Drainage [Guarantee of Repayment of Money] Bill—Resolution [March 13] *reported* 1717

Bill *ordered* to be brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, and Mr. Peel; *presented,* and read 1°. [Bill 73.]

COMMONS, WEDNESDAY, MARCH 15.

Juries in Criminal Cases Bill [Bill 24]—
Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Sir Colman O'Loghlen*) 1717
After debate, Motion, by leave, *withdrawn*:—Bill *withdrawn* March 15.

Chelsea Bridge Toll Abolition—(*Sir John Shelley*)—*ordered* 1725

LORDS, THURSDAY, MARCH 16.

Felony and Misdemeanor Evidence and Practice Bill (No. 22)—
Moved, "That the Bill be now read 2ª,"—(*Lord Chelmsford*) .. 1725
After debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the whole House on *Tuesday* next.

Turkey and Persia—the Boundary Negotiations—
Moved, "That an humble Address be presented to Her Majesty for—
"Copy of the Treaty concluded at Erzeroum between Turkey and Persia in October 1847: Also,
"Copy of Sir Stratford Canning's Instruction to Her Majesty's Commissioner for the Boundary, dated 9th December 1848: And also,
"Copy of Sir Stratford Canning's Despatch, No. 280, to Viscount Palmerston, dated 17th September 1851; together with the Memorandum enclosed in it:"—(*The Viscount Stratford de Redcliffe*) 1727
After short debate, Motion, (by Leave of the House,) *withdrawn*.

National Education — Observations, The Earl of Harrowby; Reply, Earl Granville 1732

COMMONS, THURSDAY, MARCH 16.

Azeem Jah—Public Petitions Committee — Forged Signatures — Special Report of the Public Petitions Committee *brought up* by Mr. Charles Forster:—Short debate thereon 1735

Devonport Dockyard—Payment for Extra Time—Question, Mr. Ferrand; Answer, Lord Clarence Paget 1738

Army—Armstrong and Whitworth Guns—Question, Mr. H. Baillie; Answer, The Marquess of Hartington 1739

Army—Irish or Roman Catholic Recruits—Question, Mr. O'Reilly; Answer, The Marquess of Hartington 1739

Administration of the Law (Ireland)—Question, Mr. Darby Griffith; Answer, Sir Robert Peel 1740

Railway Communication between Passengers and Guards — Question, Sir William Gallwey; Answer, Mr. Milner Gibson 1741

Supply — Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

New Zealand—The Mauritius—Question, Sir John Trelawny; Answer, Mr. Cardwell 1742

Commercial Treaty with France—Question, Mr. Treherne; Answer, Mr. Milner Gibson 1748

The Suez Canal—Question, Mr. Darby Griffith; Answer, Viscount Palmerston 1759

Main Question, "That Mr. Speaker do now leave the Chair" put, and *agreed to*.

SUPPLY—Army Estimates—*considered* in Committee.

Statement of the Under Secretary of State for War—After long debate,

Resolved, (1.) "That 142,477 Land Forces (including 9,109, all ranks, to be employed with the Depôts in the United Kingdom of Great Britain and Ireland of Regiments serving in Her Majesty's Indian Possessions.)"

Resolved, (2.) "That 178 Native Indian Troops (belonging to Her Majesty's Native Indian Army, to be maintained beyond the limits of Her Majesty's Indian Possessions.)"

Supply—Army Estimates—*continued.*

Motion made, and Question proposed,

"That a sum, not exceeding £5,434,567, be granted to Her Majesty, to defray the Charge of the General Staff, and Regimental Pay, Allowances, and Charges of Her Majesty's Land Forces at Home and Abroad, exclusive of India, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive."—(*The Marquess of Hartington*) 1821

Whereupon Motion made, and Question proposed,

"That the Item of £691 19*s.* 7*d.*, for the Major General attached to the Foot Guards, be omitted from the proposed vote."—(*Sir John Trelawny*) 1822

After short debate, Question put:—The Committee *divided*; Ayes 27, Noes 47; Majority 20:—To report Progress, and ask leave to sit again.—(*Colonel Dunne*) 1822

Resolutions to be reported *To-morrow*:—Committee also report Progress; to sit again *To-morrow.*

Colonial Naval Defence Bill [Bill 51]—

Bill *considered* in Committee 1823

After short debate, Bill *reported*, without Amendment.

LORDS, FRIDAY, MARCH 17.

Their Lordships met; and having gone through the Business on the Paper, without debate,—House adjourned.

COMMONS, FRIDAY, MARCH 17.

Administration of Justice in Ireland—Question, Colonel Greville; Answer, Sir Robert Peel 1825

Motion made, and Question proposed, "That this House do now adjourn."—(*Colonel Greville.*)

Short debate thereon:—Motion, by leave, *withdrawn.*

Patent and Close Rolls of Ireland — Question, Mr. Longfield; Answer, Mr. Peel 1829

Gardens in Hyde Park—Question, Mr. Blackburn; Answer, Mr. Cowper .. 1830

Army — The War Office — Question, Sir Stafford Northcote; Answer, The Marquess of Hartington 1830

India—Affairs of Oude—Question, Lord Stanley; Answer, Sir Charles Wood 1830

Supply—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Poland—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "Whereas the Russian Government shows its determination to set at nought the engagements it contracted in 1815 respecting Poland:

"Whereas the respect of those engagements was the condition on which the Powers of Europe consented to recognize as lawful the possession by the Russian Tsar of the greatest part of ancient Poland:

"This House cannot any longer abstain from proclaiming that the violation of those engagements implies the forfeiture by the Tsar of all right to such dominion, and also of all right to any further payment by this country of the annual sum conceded to Russia under the name of Russo-Dutch Loan, that payment having been, in 1815, undertaken to be paid during the space of one hundred years in consideration of Russia faithfully co-operating in the maintenance of the stipulations of the same Treaty of 1815,"—(*Mr. Hennessy,*)—instead thereof 1831

Question proposed, "That the words proposed to be left out stand part of the Question."

After debate, Amendment, by leave, *withdrawn.*

Select Committee on Trade with Foreign Nations — Question, Mr. W. E. Forster; Answer, Mr. Horsfall:—Long debate thereon 1850

Metropolitan Police Rate—Observations, Mr. Cox; Reply, Sir George Grey 1900

Civil Service Estimates—Question, Mr. Augustus Smith; Answer, Mr. Peel 1906

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY *considered* in Committee:—Committee report Progress; to sit again on *Monday* next.

Union Officers (Ireland) Superannuation Bill [Bill 53]—

Motion made, and Question proposed, "That the Bill be now read a second time.—(*Sir Robert Peel*) 1907

After debate, Question put, and *agreed to*:—Bill read 2°, and *committed* for *Tuesday* next.

Bank Notes Issue Bill [Bill 12]—

Bill *considered* in Committee 1909

Bill *reported*; to be *printed*, as amended [Bill 75]; *re-committed* for *Friday* next.

Mutiny Bill—(*Mr. Dodson*)—*presented*; read 1° 1909

East India (Governor General's Powers, &c.) Bill—(*Sir Charles Wood*)—*presented*; read 1° [Bill 76] 1909

East India High Courts Bill—(*Sir Charles Wood*)—*presented*; read 1° [Bill 77] ... 1910

Chemists and Druggists Bill—Acts read; Resolution *considered* in Committee;—Resolution *reported*; *presented*; read 1° [Bill 78] 1910

TAXATION OF IRELAND—Select Committee *nominated*:—List of Committee .. 1910

LORDS, MONDAY, MARCH 20.

NEW COURTS OF JUSTICE—

Moved, That there be laid before this House,

"Copies of the Plan or Plans which have been suggested for the Site and Buildings of the proposed Courts of Justice; And also,

"Return of the Number of Houses and of the Names of the Streets, Lanes, and Places, and Courts comprised in the Site to be purchased for the purposes of the same."—(*Earl Stanhope*) 1910

After debate, Motion (by Leave of the House) *withdrawn*.

COMMONS, MONDAY, MARCH 20.

NIGHT REFUGES (METROPOLIS)—Question, Mr. Hanbury; Answer, Mr. Villiers 1920

ARMY—THE RIFLE BRIGADE AND WHITWORTH RIFLES—Question, Sir Frederic Smith; Answer, The Marquess of Hartington 1920

WEST INDIA AND PACIFIC STEAMSHIP COMPANY'S MAIL CONTRACTS—Question, Mr. Cave; Answer, Mr. Peel 1921

THE PATENT OFFICE—MR. EDMUNDS—Question, Mr. Hodgkinson; Answer, Sir George Grey 1921

ROADS (SCOTLAND)—Question, Mr. Leslie; Answer, Lord Elcho .. 1922

BRITISH PROPERTY IN THE CONFEDERATE STATES—Question, Mr. Gregory; Answer, Mr. Layard 1922

NAVY—GREENWICH HOSPITAL—Question, Sir Morton Peto; Answer, Mr. Childers 1923

THE IRISH CONSTABULARY AND THE GAME LICENSES—Question, Mr. Dawson; Answer, Sir Robert Peel 1923

SUPPLY—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

GUNS FOR COAST DEFENCES—Observations, Mr. Henry Berkeley; Reply, The Marquess of Hartington:—Debate thereon 1924

BRITISH SUBJECTS IN CHINA—Observations, Colonel Sykes; Reply, The Attorney General 1945

INDIA—BOMBAY BACK BAY SHARES—Observations, Mr. Henry Seymour; Reply, Sir Charles Wood 1950

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

SUPPLY—ARMY ESTIMATES—*considered* in Committee—
(In the Committee.)

(1.) Original Question [March 16] again proposed,
"That a sum, not exceeding £5,434,567, be granted to Her Majesty, to defray the Charge of the General Staff, and Regimental Pay, Allowances, and Charges of Her Majesty's Land Forces at Home and Abroad exclusive of India, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive."—(*The Marquess of Hartington*) 1955

After debate, Question put, and *agreed to*:—Vote *agreed to.*

(2.) £1,205,800, Commissariat Establishment, Services, and Movement of Troops.

(3.) £574,256, Clothing Establishments, Services, and Supplies .. 1974
After short debate, Vote *agreed to.*

(4.) £609,900, Barrack Establishments, Services, and Supplies.

(5.) £44,335, Divine Service 1974
After short debate, Vote *agreed to.*

(6.) £26,300, Martial Law 1974
After short debate, Vote *agreed to.*

(7.) £246,544, Army Medical Establishment, Service, and Supplies.

(8.) £786,400, Disembodied Militia 1976
After short debate, Vote *agreed to.*

(9.) Motion made, and Question proposed,
"That a sum, not exceeding £91,000, be granted to Her Majesty, to defray the Charge of the Yeomanry which will come in course of payment during the year ending on the 31st day of March 1866, inclusive" 1981

After short debate, Whereupon Motion made, and Question proposed,
"That a sum, not exceeding £47,897, be granted to Her Majesty, to defray the Charge of the Yeomanry, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive."—(*Mr. Lawson*) 1981

After short debate, Motion, by leave, *withdrawn.*
Original Question put, and *agreed to.*

(10.) £334,900, Volunteers 1983
After short debate, Vote *agreed to.*

(11.) £46,000, Enrolled Pensioners and Army Reserve Force .. 1983
After short debate, Vote *agreed to.*

(12.) Motion made, and Question proposed,
"That a sum, not exceeding £272,900, be granted to Her Majesty to defray the Charge of the Manufacturing Departments, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive."
After short debate, Whereupon Motion made, and Question proposed,
"That the Item of £93,556, for materials at the Royal Gun Factories, be omitted from the proposed Vote."—(*Colonel Sykes*) 1989
After short debate, Motion, by leave, *withdrawn.*
After further debate, Original Question put, and *agreed to.*

(13.) £485,000, Warlike Stores, *agreed to* 1999
Motion made, and Question proposed, "That the Chairman do now report Progress (after debate), put, and *agreed to.*

Resolutions to be reported *To-morrow:*—Committee to sit again on *Wednesday.*

Metropolitan Houseless Poor Bill—(*Mr. Villiers*)—*presented;* read 1°, [Bill 83] .. 2001

Lahore Bishopric — Resolution *considered* in Committee: — Resolution to be reported *To-morrow.*

Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation Bill—(*Mr. Peel*)—*presented;* read 1°, [Bill 82] 2002

LORDS.

SAT FIRST.

Tuesday, February 7.

The Earl Cadogan, after the Death of his Father.

Friday, February 24.

The Lord Oxenford, after the Death of his Father.

Thursday, March 2.

The Duke of Cleveland, after the Death of his Brother.

TOOK THE OATH.

Tuesday, February 7.

The Archbishop of Dublin.

Thursday, February 9.

The Bishop of Kilmore, &c.

COMMONS.

NEW WRITS ISSUED DURING THE RECESS.

For *Hastings*, *v.* Lord Harry Vane, now Duke of Cleveland.

For *Carmarthen Borough*, *v.* David Morris, Esq., deceased.

For *Suffolk County* (Western Division), *v.* Earl Jermyn, now Marquess of Bristol.

For *Warwick County* (Northern Division), *v.* Richard Spooner, Esq., deceased.

For *Bute County*, *v.* David Mure, Esq., one of the Judges of the Court of Session in Scotland.

NEW WRITS.

Tuesday, February 7.

For *Tralee*, *v.* Right Hon. Thomas O'Hagan, one of the Judges of the Court of Common Pleas in Ireland.

For *Cork City*, *v.* Francis Lyons, Esq., Steward of Hempholme.

For *Salford*, *v.* Right Hon. William Nathaniel Massey, Member of the Council of India.

For *Truro*, *v.* Montague Edward Smith, Esq., one of the Judges of the Court of Common Pleas.

MONDAY, FEBRUARY 13.

For *Tipperary County*, *v.* The O'Donoghue, Chiltern Hundreds.

TUESDAY, FEBRUARY 14.

For *Lancaster Borough*, *v.* Samuel Gregson, Esq., deceased.

THURSDAY, MARCH 9.

For *Wilts* (Northern Division) *v.* The Right Hon. Henry Sutton Sotheron Estcourt, Manor of Northstead.

NEW MEMBERS SWORN.

TUESDAY, FEBRUARY 7.

Exeter—Lord Courtenay.

Suffolk County (Western Division)—Lord Augustus Henry Charles Hervey.

Warwick County (Northern Division)—William Davenport Bromley, Esq.

Carmarthen Borough—William Morris, Esq.

Hastings—Hon. George Waldegrave-Leslie.

THURSDAY, FEBRUARY 9.

Bute County—Hon. George Frederick Boyle.

THURSDAY, FEBRUARY 16.

Salford—John Cheetham, Esq.

TUESDAY, FEBRUARY 21.

Truro—Frederick Martin Williams, Esq.

FRIDAY, FEBRUARY 24.

Lancaster Borough—Henry William Schneider, Esq.

MONDAY, FEBRUARY 27.

Cork City—Nicholas Daniel Murphy, Esq.

MONDAY, MARCH 6.

Tipperary County—Charles Moore, Esq.

TUESDAY, MARCH 7.

Tralee—Daniel O'Donoghue, Esq., commonly called The O'Donoghue.

THE MINISTRY.

THE CABINET.

First Lord of the Treasury	Right Hon. Viscount Palmerston.
Lord Chancellor	Right Hon. Lord Westbury.
President of the Council	Right Hon. Earl Granville.
Lord Privy Seal	His Grace the Duke of Argyll.
Secretary of State, Home Department	Right Hon. Sir George Grey, Bt.
Secretary of State, Foreign Department	Right Hon. Earl Russell.
Secretary of State for Colonies	Right Hon. Edward Cardwell.
Secretary of State for War	Right Hon. Earl De Grey and Ripon.
Secretary of State for India	Right Hon. Sir Charles Wood, Bt.
Chancellor of the Exchequer	Right Hon. William Ewart Gladstone.
First Lord of the Admiralty	His Grace the Duke of Somerset.
President of the Board of Trade	Right Hon. Thomas Milner Gibson.
Postmaster General	Right Hon. Lord Stanley of Alderley.
Chancellor of the Duchy of Lancaster	Right Hon. Earl of Clarendon.
Chief Commissioner of the Poor Law Board	Right Hon. Charles Pelham Villiers.

NOT IN THE CABINET.

Field Marshal Commanding-in-Chief	H.R.H. the Duke of Cambridge.
Paymaster of the Forces, and Vice President of the Board of Trade	Right Hon. William Hutt.
Vice President of the Committee of Privy Council for Education	Right Hon. Henry Austin Bruce,
Chief Commissioner of Works and Public Buildings	Right Hon. William Francis Cowper.
Lords of the Treasury	Edward Hugessen Knatchbull-Hugessen, Esq., William Patrick Adam, Esq., and Lieutenant Colonel the Hon. Luke White.
Lords of the Admiralty	Admiral the Hon. Sir Frederick William Grey, G.C.B., Rear Admiral Charles Eden, C.B., Rear Admiral Edward Gennys Fanshawe, Rear Admiral the Hon. James Robert Drummond, C.B., and Hugh Culling Eardley Childers, Esq.
Joint Secretaries of the Treasury	Hon. Henry Bouverie William Brand, and Right Hon. Frederick Peel.
Secretary of the Admiralty	Vice Admiral Lord Clarence Edward Paget, C.B.
Secretary to the Poor Law Commissioners	Hon. Viscount Enfield.
Under Secretary for the Home Department	Thomas George Baring, Esq.
Under Secretary for Foreign Affairs	Austen Henry Layard, Esq.
Under Secretary for the Colonies	Right Hon. Chichester Samuel Fortescue.
Under Secretary for War	Most Hon. Marquess of Hartington.
Under Secretary for India	Right Hon. Lord Dufferin.
Judge Advocate General	Right Hon. Thomas Emerson Headla
Attorney General	Sir Roundell Palmer, Knt.
Solicitor General	Sir Robert Porrett Collier, Knt.

SCOTLAND.

Lord Advocate	Right Hon. James Moncreiff.
Solicitor General	George Young, Esq.

IRELAND.

Lord Lieutenant	Right Hon. Lord Wodehouse.
Lord Chancellor	Right Hon. Maziere Brady.
Chief Secretary to the Lord Lieutenant	Right Hon. Sir Robert Peel, Bt.
Attorney General	Right Hon. James Anthony Lawson.
Solicitor General	Edward Sullivan, Esq.

QUEEN'S HOUSEHOLD.

Lord Steward	Right Hon. Earl of St. Germans.
Lord Chamberlain	Right Hon. Viscount Sydney.
Master of the Horse	Most Hon. Marquess of Ailesbury.
Treasurer of the Household	Right Hon. Viscount Bury.
Comptroller of the Household	Right Hon. Lord Proby.
Vice Chamberlain of the Household	Right Hon. Viscount Castlerosse.
Captain of the Corps of Gentlemen at Arms	Right Hon. Lord Foley.
Captain of the Yeomen of the Guard	Right Hon. Earl of Ducie.
Master of the Buckhounds	Right Hon. Earl of Bessborough.
Chief Equerry and Clerk Marshal	Lord Alfred Henry Paget.
Mistress of the Robes	Her Grace the Duchess of Wellington.

ROLL OF THE
LORDS SPIRITUAL AND TEMPORAL

In the Seventh Session of the Eighteenth Parliament of the United Kingdom of Great Britain and Ireland.

28o VICTORIÆ 1865.

Mem.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord Highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

His Royal Highness The Prince of Wales.
His Royal Highness George Frederick Alexander Charles Ernest Augustus Duke of Cumberland and Teviotdale. (*King of Hanover.*)
His Royal Highness George William Frederick Charles Duke of Cambridge.
Charles Thomas Archbishop of Canterbury.
Richard Lord Westbury, *Lord Chancellor.*
William Archbishop of York.
Richard Chenevix, Archbishop of Dublin.
Granville George Earl Granville, *Lord President of the Council.*
George Douglas Lord Sundridge. (*Duke of Argyll.*) *Lord Privy Seal.*

Henry Duke of Norfolk, *Earl Marshal of England.*
Edward Adolphus Duke of Somerset.
Charles Henry Duke of Richmond.
William Henry Duke of Grafton.
Henry Charles Fitzroy Duke of Beaufort.
William Amelius Aubrey de Vere Duke of Saint Albans.
George Godolphin Duke of Leeds.
William Duke of Bedford.
William Duke of Devonshire.
John Winston Duke of Marlborough.
Charles Cecil John Duke of Rutland.
William Alexander Louis Stephen Duke of Brandon. (*Duke of Hamilton.*)
William John Duke of Portland.
William Drogo Duke of Manchester.
Henry Pelham Alexander Duke of Newcastle.
Algernon Duke of Northumberland.
Arthur Richard Duke of Wellington.
Richard Plantagenet Campbell Duke of Buckingham and Chandos.
George Granville William Duke of Sutherland.
Harry George Duke of Cleveland.

John Marquess of Winchester.
George Marquess of Tweeddale. (*Elected for Scotland.*)
Henry Marquess of Lansdowne.
John Villiers Stuart Marquess Townshend.
James Brownlow William Marquess of Salisbury.
John Alexander Marquess of Bath.
James Marquess of Abercorn.
Richard Marquess of Hertford.

JOHN PATRICK Marquess of BUTE.

BROWNLOW Marquess of EXETER.

CHARLES Marquess of NORTHAMPTON.

GEORGE CHARLES Marquess CAMDEN.

HENRY Marquess of ANGLESEY.

GEORGE HORATIO Marquess of CHOLMONDELEY.

HENRY WEYSFORD CHARLES PLANTAGENET Marquess of HASTINGS.

GEORGE WILLIAM FREDERICK Marquess of AILESBURY.

GEORGE THOMAS JOHN Marquess of WESTMEATH. (*Elected for Ireland.*)

FREDERICK WILLIAM JOHN Marquess of BRISTOL.

ARCHIBALD Marquess of AILSA.

RICHARD Marquess of WESTMINSTER.

GEORGE AUGUSTUS CONSTANTINE Marquess of NORMANBY.

EDWARD GRANVILLE Earl of SAINT GERMANS, *Lord Steward of the Household.*

HENRY JOHN Earl of SHREWSBURY.

EDWARD GEOFFREY Earl of DERBY.

FRANCIS THEOPHILUS HENRY Earl of HUNTINGDON.

GEORGE ROBERT CHARLES Earl of PEMBROKE and MONTGOMERY.

WILLIAM REGINALD Earl of DEVON.

CHARLES JOHN Earl of SUFFOLK and BERKSHIRE.

WILLIAM BASIL PERCY Earl of DENBIGH.

FRANCIS WILLIAM HENRY Earl of WESTMORLAND.

GEORGE AUGUSTUS FREDERICK ALBEMARLE Earl of LINDSEY.

GEORGE HARRY Earl of STAMFORD and WARRINGTON.

GEORGE JAMES Earl of WINCHILSEA and NOTTINGHAM.

GEORGE Earl of CHESTERFIELD.

JOHN WILLIAM Earl of SANDWICH.

ARTHUR ALGERNON Earl of ESSEX.

JAMES THOMAS Earl of CARDIGAN.

WILLIAM GEORGE Earl of CARLISLE.

WALTER FRANCIS Earl of DONCASTER. (*Duke of Buccleuch and Queensberry.*)

ANTHONY Earl of SHAFTESBURY.

——— Earl of BERKELEY.

MONTAGU Earl of ABINGDON.

RICHARD GEORGE Earl of SCARBROUGH.

GEORGE THOMAS Earl of ALBEMARLE.

GEORGE WILLIAM Earl of COVENTRY.

VICTOR ALBERT GEORGE Earl of JERSEY.

WILLIAM HENRY Earl POULETT.

SHOLTO JOHN Earl of MORTON. (*Elected for Scotland.*)

JAMES Earl of CAITHNESS. (*Elected for Scotland.*)

COSPATRICK ALEXANDER Earl of HOME. (*Elected for Scotland.*)

THOMAS GEORGE Earl of STRATHMORE. (*Elected for Scotland.*)

GEORGE Earl of HADDINGTON. (*Elected for Scotland.*)

DAVID GRAHAM DRUMMOND Earl of AIRLIE. (*Elected for Scotland.*)

DUNBAR JAMES Earl of SELKIRK. (*Elected for Scotland.*)

THOMAS JOHN Earl of ORKNEY. (*Elected for Scotland.*)

SEWALLIS EDWARD Earl FERRERS.

WILLIAM WALTER Earl of DARTMOUTH.

CHARLES Earl of TANKERVILLE.

HENEAGE Earl of AYLESFORD.

FRANCIS THOMAS DE GREY Earl COWPER.

PHILIP HENRY Earl STANHOPE.

THOMAS AUGUSTUS WOLSTENHOLME Earl of MACCLESFIELD.

GEORGE WILLIAM RICHARD Earl of POMFRET.

JAMES Earl GRAHAM. (*Duke of Montrose.*)

WILLIAM FREDERICK Earl WALDEGRAVE.

BERTRAM Earl of ASHBURNHAM.

SEYMOUR SYDNEY HYDE Earl of HARRINGTON.

ISAAC NEWTON Earl of PORTSMOUTH.

GEORGE GUY Earl BROOKE and Earl of WARWICK.

AUGUSTUS EDWARD Earl of BUCKINGHAMSHIRE.

WILLIAM THOMAS SPENCER Earl FITZWILLIAM.

DUDLEY FRANCIS Earl of GUILFORD.

CHARLES PHILIP Earl of HARDWICKE.

HENRY EDWARD Earl of ILCHESTER.

GEORGE JOHN Earl DE LA WARR.

WILLIAM Earl of RADNOR.

JOHN POYNTZ Earl SPENCER.

HENRY GEORGE Earl BATHURST.

ARTHUR WILLS BLUNDELL SANDYS TRUMBULL WINDSOR Earl of HILLSBOROUGH. (*Marquess of Downshire.*)

George William Frederick Earl of Clarendon.

William David Earl of Mansfield.

William Earl of Abergavenny.

John James Hugh Henry Earl Strange. (*Duke of Athol.*)

William Henry Earl of Mount Edgcumbe.

Hugh Earl Fortescue.

George Earl of Beverley.

Henry Howard Molyneux Earl of Carnarvon.

Henry Charles Earl Cadogan.

James Howard Earl of Malmesbury.

George John Danvers Earl of Lanesborough. (*Elected for Ireland.*)

Stephen Earl of Mount Cashell. (*Elected for Ireland.*)

Henry John Reuben Earl of Portarlington. (*Elected for Ireland.*)

Robert Earl of Mayo. (*Elected for Ireland.*)

John Earl of Erne. (*Elected for Ireland.*)

John Otway O'Connor Earl of Desart. (*Elected for Ireland.*)

William Earl of Wicklow. (*Elected for Ireland.*)

George Charles Earl of Lucan. (*Elected for Ireland.*)

Somerset Richard Earl of Belmore. (*Elected for Ireland.*)

Francis Earl of Bandon. (*Elected for Ireland.*)

James Alexander Earl of Rosslyn.

William Earl of Craven.

Arthur George Earl of Onslow.

Charles Earl of Romney.

Henry Thomas Earl of Chichester.

Thomas Earl of Wilton.

Edward James Earl of Powis.

Horatio Earl Nelson.

William Earl of Rosse. (*Elected for Ireland.*)

Sidney William Herbert Earl Manvers.

Horatio Earl of Orford.

Henry Earl Grey.

William Earl of Lonsdale.

Dudley Earl of Harrowby.

Henry Thynne Earl of Harewood.

William Hugh Earl of Minto.

Alan Frederick Earl Cathcart.

James Walter Earl of Verulam.

John William Spencer Brownlow Earl Brownlow.

Edward Granville Earl of Saint Germans. (*In another place as Lord Steward of the Household.*)

Albert Edmund Earl of Morley.

George Augustus Frederick Henry Earl of Bradford.

Henry Earl Beauchamp.

Richard Earl of Bantry. (*Elected for Ireland.*)

George Frederick Samuel Earl De Grey.

John Earl of Eldon.

Richard William Penn Earl Howe.

Charles Sommers Earl Sommers.

John Edward Cornwallis Earl of Stradbroke.

George Henry Robert Charles William Earl Vane.

William Pitt Earl Amherst.

John Frederick Vaughan Earl Cawdor.

William George Earl of Munster.

Adam Earl of Camperdown.

Thomas George Earl of Lichfield.

George Frederick D'Arcy Earl of Durham.

Granville George Earl Granville. (*In another place as Lord President of the Council.*)

Henry Earl of Effingham.

Henry John Earl of Ducie.

Charles Maude Worsley Earl of Yarborough.

James Henry Robert Earl Innes. (*Duke of Roxburghe.*)

Thomas William Earl of Leicester.

William Earl of Lovelace.

Thomas Earl of Zetland.

Charles Noel Earl of Gainsborough.

Edward Earl of Ellenborough.

Francis Charles Granville Earl of Ellesmere.

George Stevens Earl of Strafford.

William John Earl of Cottenham.

Henry Richard Charles Earl Cowley.

Archibald William Earl of Winton. (*Earl of Eglintoun.*)

William Earl of Dudley.

John Earl Russell.

John Robert Viscount Sydney, *Lord Chamberlain of the Household.*
Robert Viscount Hereford.
William Henry Viscount Strathallan. (*Elected for Scotland.*)
Henry Viscount Bolingbroke and St. John.
Evelyn Viscount Falmouth.
George Viscount Torrington.
Augustus Frederick Viscount Leinster. (*Duke of Leinster.*)
Henry Viscount Maynard.
John Robert Viscount Sydney. (*In another place as Lord Chamberlain of the Household.*)
Francis Wheler Viscount Hood.
Thomas Viscount De Vesci. (*Elected for Ireland.*)
James Viscount Lifford. (*Elected for Ireland.*)
Edward Viscount Bangor. (*Elected for Ireland.*)
Hayes Viscount Doneraile. (*Elected for Ireland.*)
Cornwallis Viscount Hawarden. (*Elected for Ireland.*)
Carnegie Robert John Viscount St. Vincent.
Henry Viscount Melville.
William Wells Viscount Sidmouth.
George Viscount Gordon. (*Earl of Aberdeen.*)
Edward Viscount Exmouth.
Richard John Viscount Hutchinson. (*Earl of Donoughmore.*)
William Thomas Viscount Clancarty. (*Earl of Clancarty.*)
Stapleton Viscount Combermere.
Charles John Viscount Canterbury.
Rowland Viscount Hill.
Charles Stewart Viscount Hardinge.
Hugh Viscount Gough.
Stratford Viscount Stratford de Redcliffe.
Charles Viscount Eversley.

Archibald Campbell Bishop of London.
Charles Bishop of Durham.
Charles Richard Bishop of Winchester.
Henry Bishop of Exeter.
Connop Bishop of St. David's.
Ashhurst Turner Bishop of Chichester.
John Bishop of Lichfield.
Samuel Bishop of Oxford.
Thomas Vowler Bishop of St. Asaph.
James Prince Bishop of Manchester.
Renn Dickson Bishop of Hereford.
John Bishop of Chester.
Alfred Bishop of Llandaff.
John Bishop of Lincoln.
Walter Kerr Bishop of Salisbury.
Robert John Bishop of Bath and Wells. (*In another place as Lord Auckland.*)
Robert Bishop of Ripon.
John Thomas Bishop of Norwich.
James Colquhoun Bishop of Bangor.
Joseph Cotton Bishop of Rochester.
Samuel Bishop of Carlisle.
Henry Bishop of Worcester.
Charles John Bishop of Gloucester and Bristol.
Edward Harrold Bishop of Ely.
Joseph Henderson Bishop of Meath.
William Bishop of Killaloe, Kilfenora, Clonfert, and Kilmacduagh.
Hamilton Bishop of Kilmore, Elphin, and Ardaugh.
William Lennox Lascelles Lord de Ros.
Jacob Henry Delaval Lord Hastings.
George Edward Lord Audley.
Peter Robert Lord Willoughby de Eresby.
Thomas Crosby William Lord Dacre.
Charles Rodolph Lord Clinton.
Thomas Lord Camoys.
Henry Lord Beaumont.
Charles Lord Stourton.
Henry William Lord Berners.
Henry Lord Willoughby de Broke.
Sackville George Lord Conyers.
George Lord Vaux of Harrowden.
Ralph Gordon, Lord Wentworth.
Edward Adolphus Ferdinand Lord Seymour.
St. Andrew Beauchamp Lord St. John of Bletso.
Charles Augustus Lord Howard de Walden.
William Bernard Lord Petre.
Frederick Benjamin Lord Saye and Sele.
John Francis Lord Arundell of Wardour.
John Stuart Lord Clifton. (*Earl of Darnley.*)

Joseph Thaddeus Lord Dormer.

George Henry Lord Teynham.

Henry Valentine Lord Stafford.

George Anson Lord Byron.

Charles Hugh Lord Clifford of Chudleigh.

Alexander Lord Saltoun. (*Elected for Scotland.*)

John Lord Gray. (*Elected for Scotland.*)

Charles Lord Blantyre. (*Elected for Scotland.*)

Charles John Lord Colville of Culross. (*Elected for Scotland.*)

John Lord Rollo. (*Elected for Scotland.*)

Henry Francis Lord Polwarth. (*Elected for Scotland.*)

Richard Edmund Saint Lawrence Lord Boyle. (*Earl of Cork and Orrery.*)

Thomas Robert Lord Hay. (*Earl of Kinnoul.*)

Henry Lord Middleton.

William John Lord Monson.

George John Brabazon Lord Ponsonby. (*Earl of Bessborough.*)

George John Lord Sondes.

Alfred Nathaniel Holden Lord Scarsdale.

George Ives Lord Boston.

George James Lord Lovel and Holland. (*Earl of Egmont.*)

George John Lord Vernon.

Edward Saint Vincent Lord Digby.

George Douglas Lord Sundridge. (*Duke of Argyll.*) (*In another place as Lord Privy Seal.*)

Edward William Lord Hawke.

Thomas Henry Lord Foley.

George Rice Lord Dinevor.

Thomas Lord Walsingham.

William Lord Bagot.

Charles Lord Southampton.

Fletcher Lord Grantley.

George Bridges Harley Dennett Lord Rodney.

William Lord Berwick.

James Henry Legge Lord Sherborne.

John Lord Tyrone. (*Marquess of Waterford.*)

Richard Lord Carleton. (*Earl of Shannon.*)

Charles Lord Suffield.

Guy Lord Dorchester.

Lloyd Lord Kenyon.

Charles Cornwallis Lord Braybrooke.

George Hamilton Lord Fisherwick. (*Marquess of Donegal.*)

Henry Hall Lord Gage. (*Viscount Gage.*)

Edward Thomas Lord Thurlow.

Robert John Lord Auckland. (*In another place as Bishop of Bath and Wells.*)

George William Lord Lyttelton.

Henry Lord Mendip. (*Viscount Clifden.*)

John Lord Stuart of Castle Stuart. (*Earl of Moray.*)

Randolph Lord Stewart of Garlies. (*Earl of Galloway.*)

James George Henry Lord Saltersford. (*Earl of Courtown.*)

William John Lord Brodrick. (*Viscount Midleton.*)

Frederick Lord Calthorpe.

Robert John Lord Carrington.

Henry William Lord Bayning.

William Henry Lord Bolton.

John Lord Wodehouse.

George Lord Northwick.

Thomas Lyttleton Lord Lilford.

Thomas Lord Ribblesdale.

Edward Lord Dunsany. (*Elected for Ireland.*)

Lucius Lord Inchiquin. (*Elected for Ireland*).

Cadwallader Davis Lord Blayney. (*Elected for Ireland.*)

Henry Lord Farnham. (*Elected for Ireland.*)

John Cavendish Lord Kilmaine. (*Elected for Ireland.*)

Robert Lord Clonbrock. (*Elected for Ireland.*)

Edward Lord Crofton. (*Elected for Ireland.*)

Eyre Lord Clarina. (*Elected for Ireland.*)

Henry Francis Seymour Lord Moore. (*Marquess of Drogheda.*)

John Henry Wellington Graham Lord Loftus. (*Marquess of Ely.*)

Granville Leveson Lord Carysfort (*Earl of Carysfort.*)

George Ralph Lord Abercromby.

John Thomas Lord Redesdale.

George Lord Rivers.

Augustus Frederick Arthur Lord Sandys.

George Augustus Frederick Charles Lord Sheffield. (*Earl of Sheffield.*)

Thomas Americus Lord Erskine.

George John Lord Mont Eagle. (*Marquess of Sligo.*)

George Arthur Hastings Lord Granard. (*Earl of Granard.*)

Hungerford Lord Crewe.

William Brabazon Lord Ponsonby of Imokilly.

Alan Legge Lord Gardner.

John Thomas Lord Manners.

John Alexander Lord Hopetoun. (*Earl of Hopetoun.*)

Frederick William Robert Lord Stewart of Stewart's Court. (*Marquess of Londonderry.*)

Richard Lord Castlemaine. (*Elected for Ireland.*)

Charles Lord Meldrum. (*Marquess of Huntly.*)

James Lord Ross. (*Earl of Glasgow.*)

William Willoughby Lord Grinstead (*Earl of Enniskillen.*)

William Henry Tennison Lord Foxford. (*Earl of Limerick.*)

Francis George Lord Churchill.

George Francis Robert Lord Harris.

Charles Lord Colchester.

William Schomberg Robert Lord Ker. (*Marquess of Lothian.*)

Francis Nathaniel Lord Minster. (*Marquess Conyngham.*)

James Edward William Theobald Lord Ormonde. (*Marquess of Ormonde.*)

Francis Lord Wemyss. (*Earl of Wemyss.*)

Robert Lord Clanbrassill. (*Earl of Roden.*)

Robert Lord Kingston. (*Earl of Kingston.*)

William Lygon Lord Silchester. (*Earl of Longford.*)

Clotworthy John Eyre Lord Oriel. (*Viscount Massereene.*)

Henry Thomas Lord Ravensworth.

Hugh Lord Delamere.

John George Weld Lord Forester.

John James Lord Rayleigh.

Robert Francis Lord Gifford.

Percy Ellen Frederick William Lord Penshurst. (*Viscount Strangford.*)

Ulick John Lord Somerhill. (*Marquess of Clanricarde.*)

James Lord Wigan. (*Earl of Crawford and Balcarres.*)

Thomas Granville Henry Stuart Lord Ranfurly. (*Earl of Ranfurly.*)

George Lord De Tabley.

Edward Montague Stuart Granville Lord Wharncliffe.

William Lord Feversham.

John Henry Lord Tenterden.

Thomas Span Lord Plunket. (*Bishop of Tuam, Killala, and Achonry.*)

William Henry Ashe Lord Heytesbury.

Archibald John Lord Rosebery. (*Earl of Rosebery.*)

Richard Lord Clanwilliam. (*Earl of Clanwilliam.*)

Edward Lord Skelmersdale.

William Samuel Lord Wynford.

Henry Lord Brougham and Vaux.

William Henry Lord Kilmarnock. (*Earl of Erroll.*)

Arthur James Lord Fingall. (*Earl of Fingall.*)

William Philip Lord Sefton. (*Earl of Sefton.*)

William Sydney Lord Clements. (*Earl of Leitrim.*)

George William Fox Lord Rossie. (*Lord Kinnaird.*)

Thomas Lord Kenlis. (*Marquess of Headfort.*)

William Lord Chaworth. (*Earl of Meath.*)

Charles Adolphus Lord Dunmore. (*Earl of Dunmore.*)

Robert Montgomerie Lord Hamilton. (*Lord Belhaven and Stenton.*)

John Hobart Lord Howden.

Fox Lord Panmure. (*Earl of Dalhousie.*)

Augustus Frederick George Warwick Lord Poltimore.

Edward Mostyn Lord Mostyn.

Henry Spencer Lord Templemore.

Edward Lord Cloncurry.

John St. Vincent Lord De Saumarez.

LUCIUS BENTINCK Lord HUNSDON. (*Viscount Falkland.*)

THOMAS Lord DENMAN.

WILLIAM FREDERICK Lord ABINGER.

PHILIP Lord DE L'ISLE and DUDLEY.

FRANCIS Lord ASHBURTON.

CHARLES Lord GLENELG.

EDWARD RICHARD Lord HATHERTON.

ARCHIBALD BRABAZON SPARROW Lord WORLINGHAM. (*Earl of Gosford.*)

WILLIAM FREDERICK Lord STRATHEDEN.

EDWARD BERKELEY Lord PORTMAN.

THOMAS ALEXANDER Lord LOVAT.

WILLIAM BATEMAN Lord BATEMAN.

JAMES MOLYNEUX Lord CHARLEMONT. (*Earl of Charlemont.*)

FRANCIS ALEXANDER Lord KINTORE. (*Earl of Kintore.*)

GEORGE PONSONBY Lord LISMORE. (*Viscount Lismore.*)

HENRY CAIRNS Lord ROSSMORE.

ROBERT SHAPLAND Lord CAREW.

CHARLES FREDERICK ASHLEY COOPER Lord DE MAULEY.

JOHN Lord WROTTESLEY.

SUDELEY CHARLES GEORGE TRACY Lord SUDELEY.

FREDERICK HENRY PAUL Lord METHUEN.

EDWARD JOHN Lord STANLEY of ALDERLEY.

HENRY Lord STUART DE DECIES.

WILLIAM HENRY Lord LEIGH.

BEILBY RICHARD Lord WENLOCK.

CHARLES Lord LURGAN.

RALPH Lord DUNFERMLINE.

THOMAS SPRING Lord MONTEAGLE of BRANDON.

JAMES Lord SEATON.

EDWARD ARTHUR WELLINGTON Lord KEANE.

JOHN Lord OXENFOORD. (*Earl of Stair.*)

CHARLES CRESPIGNY Lord VIVIAN.

JOHN Lord CONGLETON.

DENIS ST. GEORGE Lord DUNSANDLE and CLANCONAL. (*Elected for Ireland.*)

RICHARD Lord DARTREY. (*Lord Cremorne.*)

VICTOR ALEXANDER Lord ELGIN. (*Earl of Elgin and Kincardine.*)

FREDERICK TEMPLE Lord CLANDEBOYE. (*Lord Dufferin and Claneboye.*)

WILLIAM HENRY FORESTER Lord LONDESBOROUGH.

SAMUEL JONES Lord OVERSTONE.

CHARLES ROBERT CLAUDE Lord TRURO.

ROBERT MONSEY Lord CRANWORTH.

JOHN CAM Lord BROUGHTON.

CHARLES Lord DE FREYNE.

EDWARD BURTENSHAW Lord SAINT LEONARDS.

RICHARD HENRY FITZROY Lord RAGLAN.

GILBERT JOHN Lord AVELAND.

THOMAS Lord KENMARE. (*Earl of Kenmare.*)

RICHARD BICKERTON PEMELL Lord LYONS.

JAMES Lord WENSLEYDALE.

EDWARD Lord BELPER.

JAMES Lord TALBOT DE MALAHIDE.

ROBERT Lord EBURY.

JAMES Lord SKENE. (*Earl Fife.*)

WILLIAM GEORGE Lord CHESHAM.

FREDERIC Lord CHELMSFORD.

JOHN Lord CHURSTON.

JOHN CHARLES Lord STRATHSPEY. (*Earl of Seafield.*)

THOMAS Lord KINGSDOWN.

GEORGE Lord LECONFIELD.

WILLIAM TATTON Lord EGERTON.

CHARLES MORGAN ROBINSON Lord TREDEGAR.

ROBERT VERNON Lord LYVEDEN.

BENJAMIN Lord LLANOVER.

HENRY Lord TAUNTON.

RICHARD Lord WESTBURY. (*In another place as Lord Chancellor.*)

MAURICE FREDERICK FITZHARDINGE Lord FITZHARDINGE.

HENRY Lord ANNALY.

RICHARD MONCKTON Lord HOUGHTON.

LIST OF THE COMMONS.

LIST OF MEMBERS

Returned from the respective Counties, Cities, Towns, and Boroughs, to serve in the *Eighteenth Parliament* of the United Kingdom of *Great Britain and Ireland:* Amended to the Opening of the Seventh Session on the 7th Day of February, 1865.

ABINGDON.
John Thomas Norris.

ANDOVER.
William Henry Humphery,
Hon. Dudley Francis Fortescue.

ANGLESEY.
Sir Richard Bulkeley Williams Bulkeley, bt.

ARUNDEL.
Rt. hon. (Edward Howard) Lord E. Howard.

ASHBURTON.
John Harvey Astell.

ASHTON-UNDER-LINE.
Rt. hon. Thomas Milner Gibson.

AYLESBURY.
Thomas Tyringham Bernard,
Samuel George Smith.

BANBURY.
Sir Charles Eurwicke Douglas, knt.

BARNSTAPLE.
John D. F. Davie,
Richard Bremridge.

BATH.
William Tite,
Arthur Edwin Hay.

BEAUMARIS.
Hon. William Owen Stanley.

BEDFORDSHIRE.
Richard Thomas Gilpin,
Francis Charles Hastings Russell.

BEDFORD.
Samuel Whitbread,
William Stuart.

BERKSHIRE.
Hon. Philip Pleydell Bouverie,
John Walter,
Richard Benyon.

BERWICK-UPON-TWEED.
William Walter Cargill,
Dudley Coutts Marjoribanks.

BEVERLEY.
Henry Edwards,
James Robert Walker.

BEWDLEY.
Sir Thomas Edward Winnington, bt.

BIRKENHEAD.
John Laird.

BIRMINGHAM.
William Scholefield,
John Bright.

BLACKBURN.
William Henry Hornby,
James Pilkington.

BODMIN.
Hon. Edward Frederick Leveson Gower,
James Wyld.

BOLTON-LE-MOORS.
William Gray,
Thomas Barnes.

BOSTON.
John Wingfield Malcolm,
Meaburn Staniland.

BRADFORD.
Henry Wickham Wickham,
William Edward Forster.

BRECKNOCKSHIRE.
Hon. Godfrey Charles Morgan.

BRECKNOCK.
John Lloyd Vaughan Watkins.

BRIDGNORTH.
Henry Whitmore,
John Pritchard.

BRIDGWATER.
Charles John Kemeys Tynte,
Alexander William Kinglake.

BRIDPORT.
Thomas Alexander Mitchell,
Kirkman Daniel Hodgson.

BRIGHTHELMSTONE.
James White,
Henry Moor.

BRISTOL.
Hon. Francis Henry Fitzhardinge Berkeley,
William Henry Gore Langton.

BUCKINGHAMSHIRE.
Caledon George Du Pré,
Rt. hon. Benjamin Disraeli,
Robert Bateson Harvey.

BUCKINGHAM.
Sir Harry Verney, bt.,
John Gellibrand Hubbard.

BURY.
Rt. hon. Frederick Peel.

BURY ST. EDMUNDS.
Hon. (Alfred Hervey) Lord A. Hervey,
Joseph Alfred Hardcastle.

CALNE.
Rt. hon. Robert Lowe.

CAMBRIDGESHIRE.
Hon. (George John Manners Lord G. J. Manners,
Henry John Adeane,
Hon. Eliot Thomas Yorke.

CAMBRIDGE (UNIVERSITY).
Rt. hon. Spencer Horatio Walpole,
Charles Jasper Selwyn.

CAMBRIDGE.
Kenneth Macaulay,
Francis Sharp Powell.

CANTERBURY.
Henry Alexander Butler Johnstone,
Rt. hon. Sir William Meredyth Somerville, bt.

CARDIFF.
James F. C. D. Stuart.

CARDIGANSHIRE.
William Thomas Rowland Powell.

CARDIGAN.
Edward Lewis Pryse.

CARLISLE.
Edmund Potter,
Wilfrid Lawson.

CARMARTHENSHIRE.
David Jones,
David Pugh.

CARMARTHEN.
William Morris.

CARNARVONSHIRE.
Hon. Edward Gordon Douglas Pennant.

CARNARVON, &c.
Charles Wynne.

CHATHAM.
Sir John Mark Frederick Smith, knt.

CHELTENHAM.
Francis William Fitzhardinge Berkeley.

CHESHIRE.
(*Northern Division.*)
George Cornwall Legh,
Hon. Wilbraham Egerton.

(*Southern Division.*)
Sir Philip de Malpas Grey Egerton, bt.,
John Tollemache.

CHESTER.
Hon. Hugh Lupus (Grosvenor) Earl Grosvenor,
Philip Stapleton Humberstone.

CHICHESTER.
John Abel Smith,
Hon. (George Charles Henry Gordon Lennox) Lord G. C. H. G. Lennox.

CHIPPENHAM.
William John Lysley,
Richard Penruddocke Long.

CHRISTCHURCH.
John Edward Walcott.

CIRENCESTER.
Allen Alexander Bathurst,
Hon. Ashley George John Ponsonby.

CLITHEROE.
John Turner Hopwood.

COCKERMOUTH.
John Steel,
Rt. hon. Richard Southwell (Bourke) Lord Naas.

COLCHESTER.
Taverner John Miller,
Philip O. Papillon.

CORNWALL.
(*Eastern Division.*)
Thomas James Agar Robartes,
Nicholas Kendall.

(*Western Division.*)
Richard Davey,
John Saint Aubyn.

COVENTRY.
Morgan Treherne,
Sir Joseph Paxton, knt.

CRICKLADE.
Ambrose Lethbridge Goddard,
Hon. Anthony (Ashley) Lord Ashley.

CUMBERLAND.
(*Eastern Division.*)
Hon. Charles Wentworth George Howard,
William Marshall.

(*Western Division.*)
Hon. Percy Wyndham,
Henry Lowther.

DARTMOUTH.
John Hardy.

DENBIGHSHIRE.
Sir Watkin Williams Wynn, bt.,
Robert Myddelton Biddulph.

DENBIGH.
Townshend Mainwaring.

DERBYSHIRE.
(*Northern Division.*)
Hon. (George Henry Cavendish) Lord G. H. Cavendish,
William Pole Thornhill.

(*Southern Division.*)
Thomas William Evans,
William Mundy.

DERBY.
Michael Thomas Bass,
Samuel Beale.

DEVIZES.
Christopher Darby Griffith,
Sir Thomas Bateson, bt.

DEVONPORT.
William Ferrand,
Sir Arthur William Buller, knt.,

DEVONSHIRE.
(*Northern Division.*)
James Wentworth Buller,
Hon. Charles Henry Rolle Trefusis.

(*Southern Division.*)
Sir Lawrence Palk, bt.,
Samuel Trehawke Kekewich.

DORCHESTER.
Richard Brinsley Sheridan,
Charles Napier Sturt.

DORSETSHIRE.
Hon. William Henry Berkeley Portman,
Henry Gerard Sturt,
John Floyer.

DOVER.
Sir Henry John Leeke, K.C.B.,
William Nicol.

DROITWICH.
Rt. hon. Sir John Somerset Pakington, bt.

DUDLEY.
Henry Brinsley Sheridan.

DURHAM.
(*Northern Division.*)
Robert Duncombe Shafto,
Sir Hedworth Williamson, bt.

(*Southern Division.*)
Henry Pease,
James Farrer.

DURHAM (CITY).
John Henderson,
Rt. hon John Robert Mowbray.

ESSEX.
(*Northern Division.*)
Rt. hon. William Beresford,
Charles Du Cane.

(*Southern Division*).
Thomas William Bramston,
J. W. Perry Watlington.

EVESHAM.

Sir Henry Pollard Willoughby, bt.,
Edward Holland.

EXETER.

Hon. (Edward Baldwin Courtenay) Lord Courtenay,
Richard Sommers Gard.

EYE.

Sir Edward Clarence Kerrison, bt.

FINSBURY.

William Cox,
Sir Samuel Morton Peto, bt.

FLINTSHIRE.

Hon. (Richard de Aquila Grosvenor) Lord R. Grosvenor.

FLINT, &c.

Sir John Hanmer, bt.

FROME.

Hon. (Edward Thynne) Lord E. Thynne.

GATESHEAD.

Rt. hon. William Hutt.

GLAMORGANSHIRE.

Christopher Rice Mansel Talbot,
Henry Hussey Vivian.

GLOUCESTERSHIRE.

(Eastern Division.)

Sir Michael Edward Hicks Beach, bt.,
Robert Stayner Holford.

(Western Division.)

Robert Nigel Fitzhardinge Kingscote,
John Rolt.

GLOUCESTER.

Hon. Charles Paget Fitzhardinge Berkeley,
John Joseph Powell.

GRANTHAM.

Glynne Earle Welby,
Hon. Frederick James Tollemache.

GREENWICH.

David Salomons,
William Angerstein.

GRIMSBY (GREAT).

John Chapman.

GUILDFORD.

William Bovill,
Guildford Onslow.

HALIFAX.

Rt.hon.SirCharlesWood,bt.,
James Stansfeld.

HAMPSHIRE.

(Northern Division.)

William Wither Bramston Beach,
George Sclater-Booth.

(Southern Division.)

Hon. Ralph Heneage Dutton,
Sir Jervoise Clarke Clarke-Jervoise, bt.

HARWICH.

Henry G. W. Jervis,
Hon. Richard Thomas Rowley.

HASTINGS.

Frederick North,
Hon. George Waldegrave Leslie.

HAVERFORDWEST.

John Henry Philipps.

HELSTON.

John Jope Rogers.

HEREFORDSHIRE.

James King King,
Hon. (Montagu William Graham) Lord M. W. Graham,
Humphrey Francis Mildmay.

HEREFORD.

Henry Morgan Clifford,
George Clive.

HERTFORDSHIRE.

Rt. hon. Sir Edward George LyttonBulwer-Lytton,bt.,
Henry Edward Surtees.
Abel Smith.

HERTFORD.

Rt. hon. William Francis Cowper,
Sir Walter Minto Townshend Farquhar, bt.

HONITON.

George Moffatt,
Alexander Dundas Baillie Cochrane.

HORSHAM.

William Robert Seymour Vesey FitzGerald.

HUDDERSFIELD.

Edward Aldam Leatham.

HUNTINGDONSHIRE.

Edward Fellowes,
Hon. (Robert Montagu) Lord R. Montagu.

HUNTINGDON.

Rt. hon. Jonathan Peel,
Thomas Baring.

HYTHE.

Baron Mayer Amschel de Rothschild.

IPSWICH.

John Chevallier Cobbold,
Hugh Edward Adair.

KENDAL.

George Carr Glyn.

KENT.

(Eastern Division.)

Sir Brook William Bridges, bt.,
Sir Edward Cholmeley Dering, bt.

(Western Division.)

Hon. (William Pitt) Viscount Holmesdale,
Sir Edmund Filmer, bt.

KIDDERMINSTER.

Luke White.

KING'S LYNN.

Rt. hon. Edward Henry (Stanley) Lord Stanley,
John Henry Gurney.

KINGSTON-UPON-HULL.

James Clay,
Joseph Somes.

KNARESBOROUGH.

Basil Thomas Woodd,
Thomas Collins.

LAMBETH.

Frederick Doulton,
William Williams.

LANCASHIRE.

(Northern Division.)

John Wilson Patten,
Hon. Spencer Compton (Cavendish) Marquess of Hartington.

(Southern Division.)

Hon. Algernon Fulke Egerton,
William John Legh,
Charles Turner.

LANCASTER.

Edward Matthew Fenwick,
Samuel Gregson.

LAUNCESTON.

Thomas Chandler Haliburton.

LEEDS.

Edward Baines,
George Skirrow Beecroft.

LEICESTERSHIRE.

(Northern Division.)

Rt. hon. (John James Robert Manners) Lord J. J. R. Manners,
Edward Bouchier Hartopp.

(Southern Division.)

Charles William Packe,
Hon. George Augustus Frederick Louis (Curzon Howe) Viscount Curzon.

LEICESTER.
Peter Alfred Taylor,
William Unwin Heygate.

LEOMINSTER.
Gathorne Hardy,
Hon. Charles Spencer Bateman Hanbury.

LEWES.
John George Blencowe,
Hon. Henry Bouverie William Brand.

LICHFIELD.
Hon. (Alfred Henry Paget) Lord A. H. Paget,
Hon. Augustus Henry Archibald Anson.

LINCOLNSHIRE.
(*Parts of Lindsey.*)
James Banks Stanhope,
Sir Montagu John Cholmeley Cholmeley, bt.

(*Parts of Kesteven and Holland.*)
Rt. hon. Sir John Trollope, bt.,
George Hussey Packe.

LINCOLN.
Charles Seely,
John Bramley Moore.

LISKEARD.
Ralph Bernal Osborne.

LIVERPOOL.
Thomas Berry Horsfall,
Joseph Christopher Ewart.

LONDON.
Sir James Duke, bt.,
George Joachim Goschen,
Robert Wygram Crawford,
Baron Lionel Nathan De Rothschild.

LUDLOW.
Hon. George Herbert Windsor Windsor Clive,
Sir William Augustus Fraser, bt.

LYME REGIS.
William Pinney.

LYMINGTON.
William Alexander Mackinnon, jun.,
Hon. George Charles (Gordon Lennox) Lord G. C. Lennox.

MACCLESFIELD.
John Brocklehurst,
EdwardChristopherEgerton.

MAIDSTONE.
William Lee,
Charles Buxton.

MALDON.
George Montagu Warren Peacocke,
Thomas Sutton Western.

MALMESBURY.
Hon. Henry Charles (Howard) Viscount Andover.

MALTON.
Hon. Charles William Wentworth Fitzwilliam,
James Brown.

MANCHESTER.
Thomas Bazley,
James Aspinall Turner.

MARLBOROUGH.
Rt. hon. (Ernest Augustus Charles Brudenell Bruce) Lord E. A. C. B. Bruce,
Henry Bingham Baring.

MARLOW (GREAT).
Thomas Peers Williams,
Brownlow William Knox.

MARYLEBONE.
John Harvey Lewis,
Rt. hon. Edmund Boyle (Roche) Lord Fermoy.

MERIONETHSHIRE.
William Watkin Edward Wynne.

MERTHYR TYDVIL.
Rt. hon. Henry Austin Bruce.

MIDDLESEX.
Robert Hanbury,
Hon. George Henry Charles (Byng) Viscount Enfield.

MIDHURST.
William Townley Mitford.

MONMOUTHSHIRE.
Charles Octavius Swinnerton Morgan,
Poulett George Henry Somerset.

MONMOUTH.
Crawshay Bailey.

MONTGOMERYSHIRE.
Charles Watkins Williams Wynn.

MONTGOMERY.
Hon. Charles Richard Douglas Hanbury Tracy.

MORPETH.
Rt. hon. Sir George Grey, bt.

NEWARK-UPON-TRENT.
Grosvenor Hodgkinson,
John Handley.

NEWCASTLE-UNDER-LYME
William Jackson,
William Murray.

NEWCASTLE-UPON-TYNE.
Somerset Archibald Beaumont,
Rt. hon. Thomas Emerson Headlam.

NEWPORT, ISLE OF WIGHT.
Robert William Kennard,
Philip Lybbe Powys.

NORFOLK.
(*Eastern Division.*)
Hon. Wenman Clarence Walpole Coke,
Edward Howes.

(*Western Division.*)
George William Pierrepont Bentinck,
Charles Brampton Gurdon.

NORTHALLERTON.
William Battie Wrightson.

NORTHAMPTONSHIRE.
(*Northern Division.*)
Hon. William Alleyne (Cecil) Lord Burghley,
George Ward Hunt.

(*Southern Division.*)
Sir Rainald Knightley, bt.,
Henry Cartwright.

NORTHAMPTON.
Charles Gilpin,
Rt. hon. Anthony (Henley), Lord Henley.

NORTHUMBERLAND.
(*Northern Division.*)
Hon. Algernon George (Percy) Lord Lovaine,
Sir Matthew White Ridley, bt.

(*Southern Division.*)
Wentworth Blackett Beaumont,
Hon. Henry George Liddell.

NORWICH.
Sir William Russell, bt.,
Edward Warner.

NOTTINGHAMSHIRE.
(*Northern Division.*)
Hon. (Robert Renebald Pelham-Clinton) Lord R. R. Pelham Clinton,
Rt. hon. John Evelyn Denison.

(*Southern Division.*)
William Hodgson Barrow,
Hon. George Philip Cecil Arthur (Stanhope) Lord Stanhope.

NOTTINGHAM.
Charles Paget,
Sir Robert Juckes Clifton, bt.

OLDHAM.
John Tomlinson Hibbert,
John Morgan Cobbett.

OXFORDSHIRE.
Rt. hon. Joseph Warner Henley,
John Sidney North,
John William Fane.

OXFORD (CITY).
Charles Neate,
Rt. Hon. Edward Cardwell.

OXFORD (UNIVERSITY).
Rt. Hon. William Ewart Gladstone,
Sir William Heathcote, bt.

PEMBROKESHIRE.
George Lort Phillips.

PEMBROKE.
Sir Hugh Owen Owen, bt.

PENRYN AND FALMOUTH.
Thomas George Baring,
Samuel Gurney.

PETERBOROUGH.
Thomson Hankey,
George Hammond Whalley.

PETERSFIELD.
Rt. Hon. Sir William George Hylton Jolliffe, bt.

PLYMOUTH.
Walter Morrison,
Sir Robert Porrett Collier, knt.

PONTEFRACT.
Samuel Waterhouse,
Hugh Culling Eardley Childers.

POOLE.
George Woodroffe Franklyn,
Henry Danby Seymour.

PORTSMOUTH.
Sir James Dalrymple Horn Elphinstone, bt.,
Rt. hon. Sir Francis Thornhill Baring, bt.

PRESTON.
Sir Thomas George Hesketh, bt.,
Charles Pascoe Grenfell.

RADNORSHIRE.
Sir John Benn Walsh, bt.

RADNOR (NEW).
Richard Green Price.

READING.
George John Shaw Lefevre,
Sir Francis Henry Goldsmid, bt.

REIGATE.
Granville William Gresham Leveson Gower.

RETFORD (EAST).
Rt. hon. George Edward Arundell (Monckton-Arundell) Viscount Galway,
Francis John Savile Foljambe.

RICHMOND.
Sir Roundell Palmer, knt.,
Marmaduke Wyvill.

RIPON.
John Greenwood,
Reginald Arthur Vyner.

ROCHDALE.
Richard Cobden.

ROCHESTER.
Philip Wykeham Martin,
John Alexander Kinglake.

RUTLANDSHIRE.
Hon. Gerard James Noel,
Hon. Gilbert Henry Heathcote.

RYE.
William Alexander Mackinnon.

ST. IVES.
Henry Paull.

SALFORD.

SALISBURY.
Edward Pery Buckley,
Matthew Henry Marsh.

SALOP, OR SHROPSHIRE.
(Northern Division.)
Hon. Rowland Clegg Hill,
John Ralph Ormsby Gore.

(Southern Division.)
Rt. hon. Orlando George Charles (Bridgeman) Viscount Newport,
Sir Baldwin Leighton, bt.

SANDWICH.
Edward Knatchbull-Hugessen,
Hon. Clarence Edward (Paget) Lord C. E. Paget.

SCARBOROUGH.
John Dent Dent,
Sir John Vanden Bempde Johnstone, bt.

SHAFTESBURY.
George Grenfell Glyn.

SHEFFIELD.
John Arthur Roebuck,
George Hadfield.

SHIELDS (SOUTH).
Robert Ingham.

SHOREHAM (NEW).
Stephen Cave,
Sir Percy Burrell, bt.

SHREWSBURY.
George Tomline,
Henry Robertson.

SOMERSETSHIRE.
(Eastern Division.)
Sir William Miles, bt.,
William Francis Knatchbull

(Western Division.)
William Henry Powell Gore Langton,
Sir Alexander Fuller Acland Hood, bt.

SOUTHAMPTON.
William Digby Seymour,
William Anderson Rose.

SOUTHWARK.
Austen Henry Layard,
John Locke.

STAFFORDSHIRE.
(Northern Division.)
Rt. hon. Charles Bowyer Adderley,
Hon. Charles John (Talbot) Viscount Ingestre.

(Southern Division.)
Henry John Wentworth Foley,
William Orme Foster.

STAFFORD.
Thomas Sidney,
Thomas Salt.

STAMFORD.
Hon. (Robert Talbot Gascoyne Cecil) Lord R. T. G. Cecil,
Sir Stafford Henry Northcote, bt.

STOCKPORT.
Edward William Watkin,
John Benjamin Smith.

STOKE-UPON-TRENT.
Henry Riversdale Grenfell,
William Taylor Copeland.

STROUD.
George Poulett Scrope,
Rt. hon. Edward Horsman.

SUFFOLK.
(Eastern Division.)
Rt. hon. John (Henniker-Major) Lord Henniker,
Sir FitzRoy Kelly, knt.

(Western Division.)
Hon. Augustus Henry Charles (Hervey) Lord A. H. C. Hervey.
Windsor Parker.

SUNDERLAND.
Henry Fenwick,
William Schaw Lindsay.

SURREY.
(Eastern Division.)
Thomas Alcock,
Hon. Peter John Locke King.

(Western Division.)
John Ivatt Briscoe,
George Cubitt.

SUSSEX.
(Eastern Division.)
John George Dodson,
Hon. Henry North (Holroyd) Viscount Pevensey.

(Western Division.)
Walter Barttelot Barttelot,
Hon. Henry Wyndham.

SWANSEA.
Lewis Llewellyn Dillwyn.

TAMWORTH.
Rt. hon. Sir Robert Peel, bt.,
John Peel.

TAUNTON.
Arthur Mills,
George Cavendish Bentinck.

TAVISTOCK.
Sir John Salusbury Trelawny, bt.,
Arthur John Edward Russell,

TEWKESBURY.
John Reginald Yorke,
James Martin.

THETFORD.
Hon. Frederick John (FitzRoy) Lord F. J. FitzRoy,
Alexander Hugh Baring.

THIRSK.
Sir William Payne Gallwey, bt.

TIVERTON.
Rt. hon. Henry John (Temple) Viscount Palmerston,
Hon. George Denman.

TOTNES.
John Pender,
Alfred Seymour.

TOWER HAMLETS.
Acton Smee Ayrton,
Charles Salisbury Butler.

TRURO.
Montague Edward Smith,
Augustus Smith.

TYNEMOUTH.
Richard Hodgson.

WAKEFIELD.
Sir John Charles Dalrymple, bt.

WALLINGFORD.
Richard Malins.

WALSALL.
Charles Forster.

WAREHAM.
John Wanley Erle Drax.

WARRINGTON.
Gilbert Greenall.

WARWICKSHIRE.
(Northern Division.)
Charles Newdigate Newdegate,
William Davenport Bromley.

(Southern Division.)
Evelyn Philip Shirley,
Sir Charles Mordaunt, bt.

WARWICK.
George William John Repton,
Edward Greaves.

WELLS.
Rt. hon. Sir William Goodenough Hayter, bt.,
Hedworth Hylton Jolliffe.

WENLOCK.
Rt. hon. George Cecil Weld Forester,
James Milnes Gaskell.

WESTBURY.
Sir Massey Lopes, bt.

WESTMINSTER.
Sir John Villiers Shelley, bt.,
Sir De Lacy Evans, G.C.B.

WESTMORELAND.
Hon. Henry Cecil Lowther,
Hon. Thomas (Taylour) Earl of Bective.

WEYMOUTH AND MELCOMBE REGIS.
Robert Brooks,
Hon. Arthur Edward (Egerton), Viscount Grey de Wilton.

WHITBY.
Harry Stephen Thompson.

WHITEHAVEN.
George Lyall.

WIGAN.
Hon. James Lindsay,
Henry Woods.

WIGHT (ISLE OF).
Charles Cavendish Clifford.

WILTON.
Edmund Antrobus.

WILTSHIRE.
(Northern Division.)
Walter Long,
Rt. hon. Thomas Henry Sutton Sotheron Estcourt.

Southern Division.)
Frederick Hervey Bathurst,
Hon. Henry Frederick (Thynne) Lord H. F. Thynne.

WINCHESTER.
Thomas Fleming,
John Bonham-Carter.

WINDSOR (NEW).
William Vansittart,
Richard Henry Richard Howard Vyse.

WOLVERHAMPTON.
Rt. hon. Charles Pelham Villiers,
Thomas Matthias Weguelin.

WOODSTOCK.
Hon. Alfred (Churchill), Lord A. Churchill.

WORCESTERSHIRE.
(Eastern Division.)
Harry Foley Vernon,
Hon. Frederick Henry Gough Calthorpe.

(Western Division.)
Frederick Winn Knight,
Hon. Frederick Lygon.

WORCESTER.
Richard Padmore,
Osman Ricardo.

WYCOMBE (CHEPPING).
John Remington Mills,
Martin Tucker Smith.

YARMOUTH (GREAT).
Sir Edmund Henry Knowles Lacon, bt.,
Sir Henry Josiah Stracey, bt.

YORKSHIRE.
(North Riding.)
Edward Stillingfleet Cayley,
Hon. William Ernest Duncombe,
William John Sawrey Morritt.

YORKSHIRE—*continued.*

(*East Riding.*)

Rt. hon. Beaumont (Hotham) Lord Hotham,

Hon. Arthur Duncombe.

(*West Riding.*)

Sir John William Ramsden, bt.,

Sir Francis Crossley, bt.

YORK.

Joshua Proctor Brown Westhead,

John George Smyth.

SCOTLAND.

ABERDEENSHIRE.

William Leslie.

ABERDEEN.

William Henry Sykes.

ARGYLLSHIRE.

Alexander Struthers Finlay.

AYRSHIRE.

Sir James Fergusson, bt.

AYR, &c.

Edward Henry John Craufurd.

BANFFSHIRE.

Robert William Duff.

BERWICKSHIRE.

David Robertson.

BUTESHIRE.

CAITHNESS-SHIRE.

George Traill.

CLACKMANNAN AND KINROSS-SHIRES.

William Patrick Adam.

CUPAR, ST. ANDREWS, &c.

Edward Ellice.

DUMBARTONSHIRE.

Patrick Boyle Smollett.

DUMFRIES-SHIRE.

John James Hope Johnstone.

DUMFRIES, &c.

William Ewart.

DUNDEE.

Sir John Ogilvy, bt.

EDINBURGHSHIRE.

Hon. William Henry Walter (Montague-Douglas-Scott) Earl of Dalkeith.

EDINBURGH.

Adam Black,

Rt. hon. James Moncreiff.

ELGIN AND NAIRNSHIRE.

Charles Lennox Cumming Bruce.

ELGIN, &c.

Mountstuart Grant Duff.

FALKIRK, &c.

James Merry.

FIFESHIRE.

Sir Robert Anstruther, bt.

FORFARSHIRE.

Hon. Charles Carnegie.

GLASGOW.

Walter Buchanan,

Robert Dalglish.

GREENOCK.

Alexander Murray Dunlop.

HADDINGTONSHIRE.

Hon. Francis Wemyss (Charteris) Lord Elcho.

HADDINGTON, &c.

Sir Henry Robert Ferguson Davie, bt.

INVERNESS-SHIRE.

Henry James Baillie.

INVERNESS, &c.

Alexander Matheson.

KILMARNOCK, RENFREW, &c.

Rt. hon. Edward Pleydell Bouverie.

KINCARDINESHIRE.

Hon. Hugh Arbuthnott.

KIRKCALDY, DYSART, &c.

Roger Sinclair Aytoun.

KIRKCUDBRIGHTSHIRE.

James Mackie.

KIRKWALL, WICK, &c.

Rt. hon. William Coutts (Keppel) Viscount Bury.

LANARKSHIRE.

Sir Thomas Edward Colebrooke, bt.

LEITH, &c.

William Miller.

LINLITHGOWSHIRE.

W. Ferrier Hamilton.

MONTROSE, &c.

William Edward Baxter.

ORKNEY AND SHETLAND.

Frederick Dundas.

PAISLEY.

Humphrey Ewing Crum-Ewing.

PEEBLES-SHIRE.

Sir Graham Graham Montgomery, bt.

PERTHSHIRE.

William Stirling.

PERTH.

Hon. Arthur FitzGerald Kinnaird.

RENFREWSHIRE.

Sir Michael Robert Shaw Stewart, bt.

ROSS AND CROMARTY SHIRES.

Sir James Matheson, bt.

ROXBURGHSHIRE.

Sir William Scott, bt.

SELKIRKSHIRE.

Hon. (Henry John Montagu Douglas Scott) Lord H. J. M. D. Scott.

STIRLINGSHIRE.

Peter Blackburn.

STIRLING, &c.

James Caird.

SUTHERLANDSHIRE.

Rt. hon. Sir David Dundas.

WIGTONSHIRE.

Sir Andrew Agnew, bt.

WIGTON, &c.

Sir William Dunbar, bt.

IRELAND.

ANTRIM.

Thomas Henry Pakenham,

Edward O'Neill.

ARMAGH.

Sir William Verner, bt.,

Sir James M. Stronge, bt.

ARMAGH (CITY).

Joshua Walter MacGeough Bond.

ATHLONE.

John Ennis.

BANDON BRIDGE.

Hon. Henry Boyle Bernard.

BELFAST.

Sir Hugh MacCalmont Cairns, knt.,

Samuel Gibson Getty.

CARLOW.

Dennis William Pack Beresford,

Henry Bruen.

CARLOW (BOROUGH).

Sir John Emerich Edward Dalberg-Acton, bt.

CARRICKFERGUS.

Robert Torrens.

CASHEL.

John Lanigan.

CAVAN.

Hon. James Pierce Maxwell,

Hon. Hugh Annesley.

CLARE.

Crofton M. Vandeleur,

Sir Colman Michael O'Loghlen, bt.

CLONMEL.
John Bagwell.

COLERAINE.
Sir Henry Hervey Bruce, bt.

CORK COUNTY.
Nicholas Philpot Leader,
Vincent Scully.

CORK (CITY).
Francis Bernard Beamish,

DONEGAL.
Thomas Conolly,
Hon. James (Hamilton) Viscount Hamilton.

DOWNPATRICK.
David Stewart Ker.

DOWNSHIRE.
Hon. (Arthur Edwin Hill-Trevor) Lord A. E. Hill-Trevor,
William B. Forde.

DROGHEDA.
James McCann.

DUBLIN.
Ion Trant Hamilton,
Thomas Edward Taylor.

DUBLIN (CITY).
Sir Edward Grogan, bt.,
John Vance.

DUBLIN (UNIVERSITY).
Anthony Lefroy,
Rt. hon. James Whiteside.

DUNDALK.
Sir George Bowyer, bt.

DUNGANNON.
Hon. William Stuart Knox.

DUNGARVAN.
John Francis Maguire.

ENNIS.
William Stacpoole.

ENNISKILLEN.
Hon. John Lowry Cole.

FERMANAGH.
Mervyn Edward Archdall,
Hon. Henry Arthur Cole.

GALWAY.
Sir Thomas John Burke, bt.,
William Henry Gregory.

GALWAY (BOROUGH).
John Orrell Lever,
Hon. Ulick Canning (De Burgh) Lord Dunkellin.

KERRY.
Rt. hon. Henry Arthur Herbert,
Rt. hon. Valentine Augustus (Browne) Viscount Castlerosse.

KILDARE.
William Henry Ford Cogan,
Rt. hon. Richard More O'Ferrall.

KILKENNY.
Hon. Leopold George Frederick Agar-Ellis,
John Greene.

KILKENNY (BOROUGH).
Michael Sullivan.

KING'S COUNTY.
John Pope Hennessy,
Patrick O'Brien.

KINSALE.
Sir George Conway Colthurst, bt.

LEITRIM.
John Brady,
William Richard Ormsby Gore.

LIMERICK.
Rt. hon. William Monsell,
Samuel A. Dickson.

LIMERICK (CITY).
Francis William Russell,
George Gavin.

LISBURN.
Edward Wingfield Verner.

LONDONDERRY.
Robert Peel Dawson,
Sir Frederick William Heygate, bt.

LONDONDERRY (CITY).
William McCormick.

LONGFORD.
Myles William O'Reilly,
Fulke Southwell Greville.

LOUTH.
Rt. hon. Chichester Samuel Fortescue,
Richard Montesquieu Bellew.

MALLOW.
Robert Longfield.

MAYO.
Roger William Palmer,
Hon. John Thomas (Browne) Lord J. T. Browne.

MEATH.
Matthew Elias Corbally,
Edward McEvoy.

MONAGHAN.
Charles Powell Leslie,
Sir George Forster, bt.

NEWRY.
Peter Quinn.

PORTARLINGTON.
Lionel Seymour Dawson Damer.

QUEEN'S COUNTY.
Michael Dunne,
Francis Plunket Dunne.

ROSCOMMON.
Fitzstephen French,
The O'Conor Don.

ROSS (NEW).
Charles George Tottenham.

SLIGO.
Sir Robert Gore Booth, bt.,
Charles William Cooper.

SLIGO (BOROUGH).
Francis Macdonogh.

TIPPERARY.
O'Donoghue, Daniel (The O'Donoghue),
Lawrence Waldron.

TRALEE.

TYRONE.
Rt. hon. Henry Thomas Lowry Corry,
Rt. hon. (Claud Hamilton) Lord C. Hamilton.

WATERFORD.
John Esmonde,
Hon. Walter Cecil Talbot.

WATERFORD (CITY).
Michael Dobbyn Hassard,
John Aloysius Blake.

WESTMEATH.
Sir Richard George Augustus Levinge, bt.,
William Pollard-Urquhart.

WEXFORD.
Patrick McMahon,
John George.

WEXFORD (BOROUGH).
John Edward Redmond.

WICKLOW.
William Wentworth Fitzwilliam Hume,
Hon. Granville Leveson (Proby) Lord Proby.

YOUGHAL.
Isaac Butt.

HANSARD'S
PARLIAMENTARY DEBATES,

IN THE

SEVENTH SESSION OF THE *EIGHTEENTH PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 31 MAY 1859, AND FROM THENCE CONTINUED TILL 7 FEBRUARY 1865, IN THE TWENTY-EIGHTH
YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIRST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, February 7, 1865.

MEETING OF THE PARLIAMENT.

THE PARLIAMENT, which had been Prorogued successively from the 29th July to the 13th October, thence to the 11th November, thence to the 13th January, and thence to the 7th February, met this day for Despatch of Business.

The Session of PARLIAMENT was opened by Commission.

THE LORDS COMMISSIONERS' SPEECH

THE LORDS COMMISSIONERS—namely, The LORD CHANCELLOR, The FIRST LORD of the ADMIRALTY (The Duke of Somerset), The LORD STEWARD of the HOUSEHOLD (The Earl of St. Germans), The LORD CHAMBERLAIN of the HOUSEHOLD (The Viscount Sydney), and The LORD STANLEY of ALDERLEY (Postmaster General)—being in their Robes, and seated on a form placed between the Throne and the Woolsack, commanded the Gentleman Usher of the Black Rod to signify to the Commons "The Lords Commissioners desire their immediate attendance in this House."

Who being at the Bar, with their Speaker;

THE LORD CHANCELLOR, in pursuance of Her Majesty's Commands, *delivered* the Speech of THE LORDS COMMISSIONERS to both Houses of Parliament, as follows:—

My Lords, and Gentlemen,

"WE are commanded to assure you that Her Majesty has great Satisfaction in recurring again to the Advice and Assistance of Her Parliament.

"THE Negotiations in which The Emperor of *Austria* and The King of *Prussia* were engaged with The King of *Denmark* were brought to a Conclusion by a Treaty of Peace; and the

Communications which Her Majesty receives from Foreign Powers lead Her to entertain a well-founded Hope that no renewed Disturbance of the Peace of *Europe* is to be apprehended.

"THE Civil War in *North America* still unhappily continues. Her Majesty remains steadfastly neutral between the contending Parties, and would rejoice at a friendly Reconciliation between them.

"A JAPANESE Daimio in Rebellion against his Sovereign infringed the Rights accorded by Treaty to *Great Britain* and to certain other Powers; and the *Japanese* Government having failed to compel him to desist from his lawless Proceedings, the Diplomatic Agents and the Naval Commanders of *Great Britain*, *France*, the *Netherlands*, and the United States of *North America*, undertook a combined Operation for the Purpose of asserting the Rights which their respective Governments have obtained by Treaty. That Operation has been attended with complete Success; and the Result has afforded Security for Foreign Commerce and additional Strength to the Government of *Japan*, with which the Relations of Her Majesty are friendly.

"PAPERS on this subject will be laid before you.

"HER Majesty regrets that the Conflict with some of the Native Tribes in *New Zealand* has not yet been brought to a Close, but the successful Efforts of Her Majesty's Regular Forces, supported by those raised in the Colony, have led to the Submission of some of the Insurgents; and those who are still in Arms have been informed of the equitable Conditions on which their Submission would be accepted.

"HER Majesty has had great Satisfaction in giving Her Sanction to the Meeting of a Conference of Delegates from Her several *North American* Provinces, who, on Invitation from Her Majesty's Governor General, assembled at *Quebec*. Those Delegates adopted Resolutions having for their Object a closer Union of those Provinces under a Central Government. If those Resolutions shall be approved by the Provincial Legislatures, a Bill will be laid before you for carrying this important Measure into effect.

"HER Majesty rejoices at the general Tranquillity of Her *Indian* Dominion; but Her Majesty regrets that long-continued Outrages on the Persons and Property of Subjects of Her Majesty, and for which no Redress could be had, have rendered it necessary to employ a Force to obtain Satisfaction for the past and Security for the future.

"HER Majesty deeply laments the Calamity which has recently occasioned great Loss of Life and Property at *Calcutta* and at other Places in *India*. Prompt Assistance was rendered by the Officers of the Government, and generous Contributions have been made in various Parts of *India* to relieve the Sufferings which have thus been occasioned.

Gentlemen of the House of Commons,

"HER Majesty has directed the Estimates for the ensuing Year to be laid before you.

"THEY have been prepared with every Attention to Economy, and with due Regard to the Efficiency of the Public Service.

My Lords, and Gentlemen,

"HER Majesty commands us to inform you, that the general Condition of the Country is satisfactory, and that the Revenue realises its estimated Amount. The Distress which prevailed in some of the Manufacturing Districts has greatly abated; and the Act passed for the Encouragement of Public Works in those Districts has been attended with useful Results.

"IRELAND during the past Year has had its Share in the Advantage of a good Harvest, and Trade and Manufactures are gradually extending in that Part of the Kingdom.

"VARIOUS Measures of Public Usefulness will be submitted for your Consideration.

"BILLS will be laid before you for the Concentration of all the Courts of Law and Equity, with their attendant Offices, on a convenient Site; a Measure which Her Majesty trusts will promote Economy and Despatch in the Administration of Justice.

"THE important Work for the Revision of the Statute Law, already carried to a considerable Extent by recent Acts of Parliament, will be completed by a Bill that will be laid before you. Her Majesty hopes that this Work may be a Step towards the Formation of a Digest of the Law.

"BILLS will also be submitted for your Consideration for the Amendment of the Laws relating to Patents for Inventions, and for conferring on the County Courts an equitable Jurisdiction in Causes of small Amount.

"YOUR Assistance will also be invited to give Effect to certain Recommendations made to the House of Commons, after Inquiry directed by that House, into the Operation of the Laws regulating the Relief to the Poor.

"A BILL will be laid before you founded on the Report of the Commission for inquiring into Public Schools; and Her Majesty has directed that a Commission shall be issued to inquire into Endowed and other Schools in *England*, which have not been included in the recent Inquiries relating to popular Education.

"HER Majesty commits with Confidence the great Interests of the Country to your Wisdom and Care; and She fervently prays that the Blessing of Almighty God may attend your Councils, and may guide your Deliberations to the Attainment of the Object of Her constant Solicitude, the Welfare and Happiness of Her People."

Then the Commons withdrew.

House adjourned during pleasure.

House *resumed.*

SAT FIRST.

The Earl Cadogan—Sat first in Parliament after the Death of his Father.

TOOK THE OATH.

The Archbishop of Dublin—Took the Oath.

ROLL OF LORDS.

Garter King of Arms attending, *delivered* at the Table (in the usual Manner) a List of the Lords Temporal in the Seventh Session of the Eighteenth Parliament of the United Kingdom.

The same was Ordered to lie on the Table.

SELECT VESTRIES.

Bill, *pro formâ*, read 1ª.

ADDRESS TO HER MAJESTY ON THE LORDS COMMISSIONERS' SPEECH.

The LORDS COMMISSIONERS' Speech having been *reported* by the LORD CHANCELLOR—

THE EARL OF CHARLEMONT: My Lords, in rising to move that an humble Address be presented to Her Majesty in reply to the gracious Speech from the Throne, I have to claim that indulgence which is always granted to those who address your Lordships for the first time—and in my case I may not unfairly add that, having but recently become a Member of this House of Parliament, I have had small opportunity of becoming acquainted with its forms or procedure: if, therefore, anything may fall from me not strictly in accordance with the rules or practice of your Lordships' House, I hope it may be attributed to my inexperience and want of confidence rather than to intention or neglect.

My Lords, the Speech that has just been read from the Woolsack, and upon which (in the unexpected but unavoidable absence of the noble Duke who was to have moved this Address—the Duke of Cleveland) it becomes my duty to remark, is singularly free from any topics or matters of importance further than that they are such as must be sources of congratulation and satisfaction. We are, happily, at peace with the civilized world, and there seems no reason to apprehend any rupture of our friendly relations with any other State. The conflict which last year almost threatened the existence of Denmark, and appeared likely to develop into a general European war, has fortunately been concluded by a treaty of peace. No doubt the sympathies of the people of England were favourable to Denmark in her gallant but unavailing struggle with the overpowering forces of Austria and Prussia, and but little was required to have raised a popular cry for more active intervention in support of the weaker State; but the policy of strict neutrality decided upon by Her Majesty's Government, and assented to by Parliament, was carefully adhered to, and I cannot now think that a more decided or warlike attitude would have produced more favourable results, or would have expedited or improved the solution now arrived at. I regret, however, to observe, that though peace now prevails in Europe, the most gigantic and devastating war of modern times continues to rage in America with unabated fury. There, too, in spite of occasional difficulties consequent on the interpretation of International Law, no deviation has been made in the rule of neutral policy determined upon by this country. Within the last few days intelligence certainly has reached us that affords some hopes of a cessation of hostilities. However that may be, the continuance of this fratricidal contest cannot but be a matter of the deepest regret and concern to this country. The friendship of a great people belonging to a stock and source common to ourselves must ever be of the greatest importance to us. The relations of trade are so enormous, and the requirements of supply and demand between the two countries so mutual, that the more the question is considered the more the termination of this war is to be desired. In India a necessary expedition has been undertaken to punish outrages committed on Her Majesty's subjects, and to protect the frontier and to assist our neighbouring allies. In Japan a successful operation has been performed by our naval force in those seas. A rebellious Prince has been reduced to submission to his Sovereign, and the native chiefs have been taught that they must observe the terms of treaties entered into between the Government of Japan and foreign nations. In this operation the ships of the other Powers, France, the Netherlands, and, I am glad to see, the United States of America, took part. The expedition sent to inflict chastisement on this rebellious Prince has been completely successful, and I do not doubt the result will be a great extension of our commerce with Japan. In New Zealand one of those "small wars" that so frequently necessitate the employment of our army in distant possessions has for some time continued. Although there is great difficulty in carrying on military operations at so great a distance from home, yet I am glad to learn that the result has been attained that a considerable number of the insurgents have submitted; and there is reason to expect that those still in arms against our authority are disposed to take advantage of the terms proposed on the part of the Crown, and return to peaceful allegiance. Without assenting to the doctrine that aboriginal races are ordained to perish and disappear before the march of civilization, still it is manifest that unruly tribes existing along the frontiers of civilized settlements cannot be permitted to prevent the advance of higher arts and attainments, and the spread of purer morals and a more enlightened faith.

My Lords, although these operations in India, New Zealand, and Japan are matters of greater or less interest and concern to the nation, and, as such, are fully deserving of notice, yet they are small in comparison to the importance of the probable change in the constitution of our North American Colonies. I entertain a confident hope that the measure for the Federal union of our North American Provinces will be carried into effect, and will prove successful. I suppose that since the Declaration of Independence by the colonies since known as the United States of America, so great a scheme of self-government, or one shadowing forth such large and general results to our Colonial Empire, has not occurred. If the delegates of these several colonies finally agree to the resolutions framed by their Conference, and if these resolutions be approved by the several Legislatures of the different colonies, I presume that the Imperial Parliament will be asked to consider and complete this federation of our North American possessions. While on this subject, I cannot refrain from calling attention to the judicious conduct of the present Governor General of Canada, and the Speech delivered by him on the part of the Crown in opening the present Session of the Canadian Legislature.

My Lords, among the many causes for thankfulness and congratulation referred to in the Speech, the generally satisfactory condition of the country as to Trade and Revenue is perhaps of first importance. I am afraid to state what I believe the progress and accumulation of wealth during the last twelve months has reached to; but I am sure, from the information afforded me from various quarters, that the returns will prove favourable beyond precedent. Never, in spite of great financial pressure and much undue speculation, has such an extent of trade met with a parallel. The exports from the United Kingdom and Ireland during the year 1864 amount to no less than £160,000,000, an amount which I believe has never been exceeded; and, in addition to this, we have the satisfaction of knowing that the distress in Lancashire has diminished, though I greatly fear that as long as the American war continues some considerable amount of distress must prevail. The reports favourable to peace of to-day may to-morrow be contradicted, and it is impossible to foresee what a month hence the aspect of affairs may be; still there seems reason to hope that along with the abundant stock of cotton now in this country, or on its way to England, there will be employment for a considerable time for those dependent upon that industry. But so long as the price of cotton remains so uncertain there is always danger of the mills being closed, or only working at short time. There is no doubt that the civil war in America has stimulated the production of cotton in other parts of the world, and the cotton which has reached us from Egypt and Brazil and other foreign countries has been largely supplemented by importations from India and the East—even, I understand, from Japan—thus adding to the wealth of our Indian Empire, and extending our trade relations with other countries.

My Lords, I now arrive at that portion of Her Majesty's Speech on which I am supposed to be able to afford peculiar information, and it is for this reason that I have now the honour of addressing your Lordships. I am aware that many words that I may use, and opinions that I may hold, will be dissented from by persons of various classes and parties in Ireland; but I am not here to propound the views of any party or any class, or to put forward any theory of my own. I present myself here to-day as an Irish gentleman, bearing a name long and, I trust, honourably known in that country, and having property and interests there sufficient to warrant the conclusion that I can have no motive which will induce me to make any statement or advance any opinion that I do not honestly and sincerely believe to be true and for the good of my country. My Lords, if your patience and my memory permit, I propose to set before you some few statistical details which I have collected from papers and Returns made in respect of Ireland, in proof of my reasons for cordially assenting to the paragraph in the Speech which congratulates Parliament and this country on the satisfactory condition of Ireland. In former Sessions the Speech from the Throne has too frequently made reference to something unsatisfactory, requiring exceptional legislation for Ireland, either from the prevalence of serious crime or distress so great and so general as to deserve Imperial intervention. On this occasion it may be safely affirmed that there is nothing of the kind—that the state of the country both in regard to the decrease of crime and the increase of wealth is satisfactory. The total number of persons committed or bailed for trial in 1851, when the numbers stood at their maximum, was 24,684; in 1860, 5,386; in 1861, 5,586; in 1862, 6,666; and in 1863, 6,078; showing the effect produced by the unfavourable seasons of 1860, 1861, and 1862. The decrease during these years was constant until 1861, when the numbers increased, but subsequently they again decreased. A comparison of a proportionate population in England and Wales for the year 1863 showed 7,274 indictable offences not disposed of summarily in Ireland, inclusive of the Dublin police district, as against 13,387 in England and Wales, and 6,382 persons apprehended in Ireland as against 7,797 apprehended in England and Wales. An unfavourable feature appears in the cases determined summarily; but these are in excess mainly in the more trivial cases classed under the head of "drunkenness." I now come to agriculture. In the districts mainly dependent on agriculture there is a slow but most undoubted recovery from the pressure of four very unfavourable seasons, and in those districts where the growth of flax has been extended and the linen trade prevails, and also in those towns where efforts have been successfully made for the revival of manufactures, there are symptoms of satisfactory progress. The fact of the depression consequent on the very unfavourable seasons of 1860, 1861, and 1862 is shown in all the Returns; but Dr. Hancock has come to the conclusion that no progressive decline has taken place, but, on the contrary, that there has been a rapid progressive increase since the famine, the above-named years — 1860, 1861, and 1862 — alone showing any pause in the progressive increase of produce and wealth. This recovery, which commenced in 1863, has continued in 1864, the amount of land under crop being largely on the increase—in flax alone amounting to 87,761 acres, besides 47,486 in meadow and clover. The amount of stock has increased by 113,078 head of cattle, and 54,854 sheep. The acreage under flax was in 1858, 91,646; in 1860, 128,595; in 1862, 150,070; and in 1864, 301,860. This increase extended throughout all the four Provinces, and amounted to 131,783 acres in Ulster alone, between 1862 and 1864. In alluding to manufactures, one branch is intimately connected with the agricultural interests — namely, the growth of flax, which I have just detailed; but the flax finds its way from the farm to the mill, and here is the report of that industry. The manufacture of yarn and linen has progressed with the growth of flax. The export of thread increased from 1,128,960 lb. in 1862 to 1,153,516 lb. in 1863. The linen yarn exported was in 1862, 15,685,600 lb., and in 1863 20,672,800 lb., while the manufactured linen exported from Belfast was 65,086,000 yards in 1862, and 78,475,000 yards in 1863. This increase has been continued in 1864. There are now more than 10,000 power-looms at work in Ulster. The extraordinary increase of English commerce has a tendency to make us under-estimate the progress of Ireland. Take, however, the coasting trade of Dublin for the past year. The ships entered inwards were in 1864, 7,428, with 1,040,514 tons; and in 1863, 7,375, with 970,066 tons. The ships entered outwards were 3,928, with 773,646 tons in 1864, and 3,925 ships, with 766,503 tons in 1863. In the twenty principal ports the increase has been from 1847, 37,404 ships, with 4,853,870 tons; 1862, 43,755 ships, with 7,056,984 tons. Six ports show a decrease of trade, and of these five are on the Atlantic, showing that land traffic by railways is preferred to the risks of the sea on the west coast. It is a remarkable fact, that the bulk of the shipping engaged in traffic between England and Ireland belongs to Irish owners. These returns are amply sufficient to warrant the paragraph in the Royal Speech, and they are also such as to bear me out in my views concerning the condition of Ireland. If we recall the state of Ireland thirty years ago, and compare it with the present state of that country as just described, and contemplate the further advance and progress we have a right to expect, what just grounds can exist for the cry that Ireland retrogrades? Should we not rather justly calculate that the path of progress she has but recently entered will be profitably pursued, and that she is destined to become as prosperous, peaceful, and contented as any part of Her Majesty's dominions? It is often said that capital is required, that emigration is going too far, and that both capital and labour are leaving our shores. I deny that capital is leaving our shores. There can be no doubt that capital is always required wherever great improvements and new enterprises have to be established; and I maintain not only that capital does come into Ireland in increasing amount year by year, but that the accumulation of money in Ireland is very considerable. I was last year informed that the sum held by the banks of Ireland on deposit receipts amounted to £16,000,000, and that the banks of one northern town held upwards of £400,000, in sums averaging £30 for each depositor, showing that even the small farmers had their investments. I believe these amounts to have increased in 1864. Then as to emigration, although I am not prepared to say, as I have frequently heard it said in Ireland, that the emigration of another million of souls is required to bring the population to a fair balance of demand and supply of labour and a reasonable rate of wages, yet I am satisfied that a very large number of the present population might still improve their condition by emigration, without detriment to the country. Emigration in search of a higher rate of wages has always taken place in countries where certain industries have become no longer remunerative, or the system of agriculture has changed. As long as Ireland is not a manufacturing country, emigration must continue until the rate of wages becomes sufficient to enable the labourer to maintain and bring up his family at home.

In conclusion, I should like to contradict the imputation of disaffection to the Crown and Government of this country on the part of the population of Ireland. I do not believe that the people of Ireland collectively is either disaffected or disloyal. There are in every country and at all times the unsuccessful, the disappointed, and the idle and worthless, who vent their discontent and their sorrows in finding fault with all around them. This, too, often takes the form of hostility to the powers of Government, and even to public order. This is the case in Ireland to a certain extent, and is in some degree to be attributed to the undoubted distress which followed for several years the great famine in that country, and to the legislative mistakes committed in former times by the Imperial Parliament. There exists, unquestionably, much discontent in Ireland, but I do not think it can be said that that discontent takes the form of disloyalty to the Crown. I believe, on the contrary, that the people of Ireland generally are loyal to the Crown, and without disaffection or hostility towards England. The great bane and difficulty of the thriving and prosperous northern Province of Ulster, with its many advantages, is the prevalence and bitterness of party spirit. The riots of last year at Belfast, when the town was for three days in possession of the mob uncontrolled by the public authorities, were an instance of the extent to which this spirit of religious war may be carried; and I take this occasion to press most earnestly on Her Majesty's Government the necessity and the urgency of enactment or precaution to prevent the scenes of bloodshed and disorder which will otherwise be repeated next July. The Report, however, of the Commission sent to inquire into the causes and details of these riots has not yet appeared; I therefore reserve my observations for a future occasion. Neither will I venture to deal with other questions, however important to Ireland. I am anxious to confine myself to the state of the condition of the country as a subject of congratulation. The various questions of land tenure, of education, and of religious endowments are not now before us, nor is the present an occasion befitting their introduction. I am happy to bear testimony to the great anxiety the present Lord Lieutenant has shown to make himself acquainted with the wants of the country, and I am sure he will spare no effort for the effectual performance of the duties he has undertaken. I am aware that my observations on this part of the Speech have extended beyond customary length, and for this reason, indeed, it was that I passed more rapidly over other matters, being confident they would receive from my noble Friend juster and more extended criticism than I could offer to your Lordships.

It only remains for me to thank your Lordships very gratefully for the patience and forbearance which you have been pleased to accord to me, and to move that an humble Address be presented to Her Majesty, as follows:—

MOST GRACIOUS SOVEREIGN,

"WE, Your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal in Parliament assembled, beg leave to offer our humble Thanks to your Majesty for the Gracious Speech which your Majesty has commanded to be made to both Houses of Parliament.

"We humbly thank your Majesty for informing us that the Negotiations in which the Emperor of *Austria* and the King of *Prussia* were engaged with the King of *Denmark* were brought to a Conclusion by a Treaty of Peace; and we humbly express the Gratification with which we learn that the Communications which Your Majesty receives from Foreign Powers lead Your Majesty to entertain a well-founded Hope that no renewed Disturbance of the Peace of *Europe* is to be apprehended.

"We humbly thank Your Majesty for informing us that You remain steadfastly neutral between the contending Parties in the Civil War which still unhappily continues in *North America;* and we humbly assure Your Majesty that with Your Majesty we should rejoice at a friendly Reconciliation between them.

"We humbly convey our Thanks to Your Majesty for informing us that a *Japanese* Daimio, in Rebellion against his Sovereign, having infringed the Rights accorded by Treaty to *Great Britain* and to certain other Powers, and that the *Japanese* Government having failed to compel him to desist from his lawless Proceedings, the Diplomatic Agents and the Naval Commanders of *Great Britain, France,* the *Netherlands,* and the United States of *North America* undertook a combined Operation for the Purpose of asserting the Rights which their respective Governments had obtained by Treaty. And we humbly express our hope that this Operation, which has been attended with complete Success, may by its Result afford Security for Foreign Commerce and additional Strength to the Government of *Japan,* with which the Relations of Your Majesty are friendly.

"We humbly thank Your Majesty for commanding Papers on this Subject to be laid before us.

"We humbly assure Your Majesty that we learn with Regret that the Conflict with some of the Native Tribes in *New Zealand* has not yet been brought to a Close; and we humbly convey out Thanks to Your Majesty for informing us that the successful Efforts of Your Majesty's Regular Forces, supported by those raised in the Colony, have led to the Submission of some of the Insurgents; and that those who are still in Arms have been acquainted with the equitable Conditions on which their Submission would be accepted.

"We humbly express to Your Majesty our Gratification at learning that under Your Majesty's Sanction and at the Invitation of Your Majesty's Governor General, a Conference of Delegates from Your Majesty's several *North American* Provinces had assembled at *Quebec;* that those Delegates had adopted Resolutions having for their Object a closer Union of those Provinces under a Central Government; and that if those Resolutions shall be approved by the Provincial Legislatures Your Majesty will cause a Bill to be laid before us for carrying this important Measure into effect.

"We humbly assure Your Majesty that with Your Majesty we rejoice at the general Tranquillity of your Majesty's *Indian* Dominion; and we humbly thank Your Majesty for informing us that long-continued Outrages on the Persons and Property of Subjects of Your Majesty having occurred for which no Redress could be had, it became necessary to employ a Force to obtain Satisfaction for the past and Security for the future.

"We humbly express to Your Majesty our regret at the Calamity which has recently occasioned great Loss of Life and Property at *Calcutta* and at other places in *India;* and we humbly trust that the prompt Assistance rendered by the Officers of the Government and the generous contributions which have been made in various parts of *India* may have relieved the Sufferings which have thus been occasioned.

"We humbly assure Your Majesty that we learn with Gratification that the general Condition of the Country is satisfactory; that the Revenue realizes its estimated Amount; that the Distress which prevailed in some of the Manufacturing Districts has greatly abated, while the Act passed for the encouragement of Public Works in those Districts has been attended with useful Results; and that *Ireland* during the past Year has had its Share in the Advantage of a good Harvest, with a gradual Extension of Trade and Manufactures.

"We humbly assure Your Majesty that we will give our earnest Attention to the Measures of Public Usefulness which may be submitted for our Consideration.

"We humbly thank Your Majesty for informing us that Bills will be laid before us for the Concentration of all the Courts of Law and Equity, with their attendant Offices, on a convenient Site; for the Completion of the Revision of the Statute Law; for the Amendment of the Law relating to Patents for Inventions; and for conferring on the County Courts an equitable Jurisdiction in Causes of small Amount.

"We humbly assure Your Majesty that our serious attention shall be given to the Measures which may be proposed for carrying into effect certain Recommendations made to the House of Commons, after Inquiry directed by that House, into the Operation of the Laws regulating the Relief to the Poor; and to the Bill which will be laid before us founded on the Report of the Commission for inquiring into Public Schools. And we humbly thank Your Majesty for informing us that Your Majesty has directed that a Commission shall be issued to inquire into Endowed and other Schools in *England*, which have not been included in the recent Inquiries relating to popular Education. And we humbly assure Your Majesty that with Your Majesty we fervently pray that the blessing of Almighty God may attend our Councils, and guide our Deliberations to the Advancement of the Welfare and Happiness of Your People."

LORD HOUGHTON: My Lords, the course of events in this country and in Europe since we last met warrants me in congratulating myself and you that in seconding the Address in reply to Her Majesty's gracious Speech, I am called upon to make only a few current observations. From the time of the abortive Conference in London on Danish affairs, and the consequent abrogation of the Treaty of 1852, the Danish question, so far as this country is concerned, has fallen into the general politics of Europe. I think your Lordships will acknowledge the wisdom of the guarded language which Her Majesty has used on the subject; but I may be permitted, as an individual Member of the House, to remark that the issues which we were formerly told were so clear, the propositions which were represented as so self-evident, have not quite stood the test of time and experience. Those clamorous nationalities of which we heard so much still remain unsatisfied—those rights which were declared to be indefeasible are yet unrecognised—and those ambitions to which it was then considered almost calumnious to allude are now recognised openly as facts in history. If, my Lords, from the force of circumstances, concessions are made in the matter of the late Danish Duchies to popular feeling, or if assumed rights are recognised, they will be granted without grace and accepted without gratitude. If, on the other hand, those ambitious projects are fully realized, it is possible that that system of territorial compensations which seems popular at the present moment with Continental statesmen may come into play; and thus this question on which Her Majesty is now able to congratulate your Lordships as pacifically arranged, may end in serious complications to Europe. Her Majesty, my Lords, would have been very happy if she could have announced to you that peace was also established on the other side of the Atlantic. That deplorable contest between large populations of men descended from our own common ancestry still continues. But if that contest continues, the neutrality of Her Majesty's Government continues also. I believe that that neutrality is recognised by all parties in this country as being both wise and just; and when we consider that in a Cabinet somewhat large there must be many men who entertain strong opinions on matters of such pressing interest upon one side or the other, it is, I think, eminently creditable that no one public act can be pointed out which in any way discovered their inclinations. It is not true, my Lords, as has been said elsewhere, that the civil war in America has been "prompted" or "promoted by England." It is not true that the English Government have in any one case departed from that absolute neutrality which they professed. My Lords, following the example of my noble Friend, I will not venture any opinion as to the merits of either side in this great quarrel. I will merely direct your Lordships' attention to one satisfactory result in the midst of so much disaster—namely, the continuous and certain decline of that unhappy institution of slavery which is so repugnant to the feelings of the English people, and of which I may say, without fanaticism, that it is opposed to all sound principles of social and political economy. But if this spirit of disruption has been evinced in America, a higher and I think wiser spirit has manifested itself in other portions of the globe. That impulse which inclines small States to band themselves together for the purpose of mutual protection, and for the dignity of empire, has shown itself in two remarkable examples, of which I may be permitted to say a few words. In Europe it has manifested itself in the case of Italy, which is not, indeed, alluded to in any part of Her Majesty's Speech, because it is an accomplished fact of European history. A convention has lately taken place between the Emperor of the French and the King of Italy, in which England can take no other interest than to hope that it may redound to the prosperity of the one and to the honour of the other. At any rate, one great advantage has been accomplished. With his capital in the centre of Italy, it is no longer possible to talk of Victor Emmanuel as King of Piedmont. He is King of Italy, or nothing. On the other side of the Atlantic the same impulse to union has manifested itself in the proposed amalgamation of the British Provinces of North America. I heartily concur with all that has been said by my noble Friend the Mover of this Address in his laudation of that project. It is, my Lords, a most interesting subject of contemplation that that project has arisen and has been approved by Her Majesty's Government. It is certainly contrary to what might be considered the old maxims of government in connection with the colonies, that we should here express—and that the Crown itself should express—satisfaction at a measure which tends to bind together in almost independent power our colonies in North America. We do still believe that though thus banded together they will recognise the value of British connection, and that while they will be safer in this amalgamation we shall be as safe in their fealty. The task which the statesmen of Canada have undertaken is a very difficult one—it will require much prudent consideration and great attention to provincial susceptibilities. It will have to deal not only with several British Provinces, but with a race almost foreign in their habits and origin. I do hope it will ultimately succeed, and that the French Canadians forming part of this great integral North British American Empire will have as much security and happiness as they now possess. I rejoice in this movement for this further reason, that I believe the future of the world will rest, not with isolated municipalities, but in great empires. On the other parts of Her Majesty's Speech, referring to foreign affairs, I will merely remark that wherever war exists England is not on the aggressive. Wherever England is in arms, she is so on the defensive. It is solely to defend her own commerce, to protect her own subjects, that England is anywhere hostile. There is nothing aggressive in Her Majesty's Speech.

I will now, my Lords, say a few words on home affairs. It appears that the legislation which will be presented to your Lordships this Session will be of the same nature as that for which the other Sessions of this Parliament have been conspicuous—that is to say, it will be exclusively of a practical character. For my own part, my Lords, I should have been glad if we had contrived somehow or other during this long Parliament to have broadened the ancient ways of the British Constitution; but it seems that task is to be reserved for some period of keener political competition—it may be, for some future generation of more ardent, more hopeful, and more youthful statesmen. I trust, therefore, you will not lose the excellent opportunity you now have of devoting this Session to practical reforms. And with respect to the reforms in the law, I think I may congratulate your Lordships on being in a most fortunate position; because it is not now the victims that are crying for mercy, but it is the High Priest himself that is indignant at the sacrifice; and, looking to his powerful initiative of measures of law reform, and the energy with which your Lordships will support him, I do hope this Session will produce some remarkable results. I trust we shall make some way in a digest of the laws of this country. I am glad Her Majesty's Government use especially that phrase of the "digest of the law," because I do not think that phrase implies that we should absolutely confine ourselves to codification to the exclusion of the development of principles or the variation of practice. What I think we want is that a digest of the laws of England, such as they are, should be made and presented to us — a result which I cannot but believe to be of the greatest public utility. Another point to which your Lordships' attention will necessarily be directed is the revision of the Poor Law. The Act by which the present Poor Law Board is constituted expires this year. It is, therefore, absolutely necessary for your Lordships to re-enact some measure for the continuation of that Board. You may do so by simply continuing it as it is, or you may accompany its continuance by the adoption of some of the recommendations of the Select Committee of the Commons which sat upon the Poor Law Board. Having myself been a member of that Committee, I must say that the evidence there produced was most honourable and satisfactory as regards the present constitution of that Board; and I think your Lordships would do well to insert the recommendations of the Select Committee in the measure. It is, I think, a graver question, and one that will demand all your Lordships' attention, whether it would be wise at this moment to accompany that change with an alteration of the law of removal and settlement. We have hardly yet had time to see the effect of the Bill passed very recently with regard to the irremovable poor; and, moreover, I believe it is doubtful whether it would be advisable to enter fully into that question during the continuance of that great exception to the general prosperity of the country—the distress in the cotton districts of Lancashire. My Lords, Her Majesty congratulates you upon the abatement of that distress. True it is that that abatement is very great; but still much distress exists. How great it has been can be appreciated only by those who have had some personal experience of that part of the kingdom—for we scarcely realize from statistics what it is for the pauperism of a certain district to rise from the usual rate of 50,000 to the extraordinary rate of 435,400 persons. That rate of pauperism has now diminished to something like 120,000; but still I must say there is no hope of its entire extinction. The American war has caused so great a disturbance of trade, and brought on so much unhealthy speculation, that it is impossible to say when things will be thoroughly right again. With such a condition of affairs as you have at this moment, when the very rumour of negotiation—the idea that peace is looming in the distance—is sufficient to cast a gloom over the whole Exchange of Liverpool, and when you know that although cotton may arrive in considerable quantities there will be large capitalists who will hold back till the time when it may become still cheaper, you will feel that the Lancashire distress is yet a reality, and that further demands may be made even upon the good counsel and energy of the noble Earl opposite (the Earl of Derby), to whom Lancashire and England already owe so much. There are other topics referred to in the Speech which will form the subject of future discussion. I have, therefore, nothing left me but to thank your Lordships most cordially for the kind attention with which you have listened to me, and to express to Her Majesty our gratitude for Her Gracious Speech, and to assure Her Majesty, under all circumstances, of our unabated affection and undiminished sympathy. And if the gentle influences of time and the faithful discharge of high duties should bring with them those consolations which a gracious Providence rarely refuses to the deepest sorrow, I need not say how grateful that event would be to Her Parliament and Her people. My Lords, I beg to second the Motion for an Address to Her Majesty in reply to Her Majesty's most gracious Speech. [*See Page* 14.]

The Earl of DERBY: My Lords, it would be an act of disrespect to Her Majesty and of discourtesy to the noble Lords if the Address moved and seconded by them were allowed to pass without any observation from this side of the House; otherwise I should not have thought it necessary to trouble your Lordships with a single remark on a Speech so entirely innocuous as that to which we have to-day all given such placid attention. That Speech, indeed, is one of just such a character as might naturally have been expected to be addressed by an aged Minister to a moribund Parliament. The days of the Parliament are numbered. No medical skill or science can prolong its existence beyond a period of a very few weeks. Its condition, as far as the protraction of its life is concerned, is absolutely hopeless. All that the most eminent physicians can do for it is to take care that its dying moments are disturbed by no unnecessary excitement, that no distracting influences may disquiet its last hours, or interfere with the peace of its fleeting moments, and that it may be supplied with just so much gentle occupation as may tranquilly engage its thoughts. The physicians, of course, will continue to the last to hold their formal consultations on the state of the patient, receive their accustomed fees, and waft it serenely towards its final rest. It is true we have heard it said that there are some ardent and enthusiastic spirits, attendants on the patient, who are desirous of trying a more vigorous mode of treatment; and I am not quite sure that I did not hear from the noble Lord who seconded the Address an expression of regret that some more active treatment was not adopted than the homœopathic one prescribed for the departing patient by Her Majesty's Ministers. I believe that some of those ardent spirits advise a recourse to galvanic action, in order that, if possible, by an electric shock those energies may be roused which have for some considerable time been dormant. But the more experienced physicians, looking to the peculiar condition of the patient, and remembering the effect of former expedients, are of opinion that such a shock might be too much for its feeble constitution, and that it is not unlikely the attempt to infuse fresh vigour into the system would precipitate the crisis they undoubtedly would fain defer as long as possible. Another reason for caution on the part of those who prescribe for the patient is that his estate is not entailed, and that he has no power to name his successors, and it is exceedingly probable that when the inevitable dissolution takes place there may be a disputed succession, which may not only give ample employment to the gentlemen of the long robe, but lead to awkward results to those now in close attendance at the sick-bed. I therefore, my Lords, congratulate Her Majesty's Government on putting into the mouth of the Royal Commissioners a Speech so admirably adapted to their own position and to that of the Parliament to which it is addressed. I am sure there is nothing that threatens the feeble constitution of the patient, nothing that can occasion it any unnecessary excitement, and nothing —as far as the Speech is concerned— which should tend to accelerate the inevitable stroke that awaits the Parliament in a very brief period. I do not, however, wish to say by any means that there are not touched in the course of this Speech some subjects of considerable importance, both as regards foreign and domestic policy, and also as regards the past, the present, and the future. But those subjects, of no small interest though they be, as far as respects the past and the present, are so dealt with as not to call for any expression of opinion or any judgment on their merits from your Lordships. And, looking to the legislation shadowed forth, it is certainly not of such a character as to provoke any violent or party controversy, or raise any great or animated political contest.

In looking to the Speech I confess, my Lords, I would desire to pass over rapidly and lightly the first paragraph relating to Denmark. It alludes to a state of things to which I think no Englishman can look back without considerable regret or without some feeling of humiliation. I will not follow the noble Lord who seconded the Address (Lord Houghton) by entering into any speculations as to the possible complications which may ensue from that state of things. I do not quarrel with that part of the Address. I would rather imitate what I consider the prudent forbearance of Her Majesty's Ministers, and characterise by no epithet of mine either that peace which has been the result of these negotiations, or the conduct of the united Powers by which its conditions were dictated. It is satisfactory, my Lords, to know, from the assurances received by the Government, that among the complications which may arise in connection with the ultimate disposal of the subjugated provinces there is no ground for apprehending that great calamity, a renewed disturbance of the peace of Europe. My Lords, the Royal Speech appears to me to be more than usually reticent upon the subject of our foreign relations. Usually a considerable portion of Speeches from the Throne is taken up in describing the relations of foreign States with this country, and there are one or two points particularly connected with foreign affairs on which I could have desired to have heard some explanation. I should have been glad, for example, if we had been furnished with some information as to the state of our relations with the Emperor of Brazil. It is true that Brazil is not a first-rate Power, nor one from which we can apprehend any serious opposition; but, at the same time, it is not a matter of absolute indifference to us that we should continue in a state of protracted alienation from a country which had always hitherto been on friendly terms with us, with which we have very large commercial relations, and with which it is our interest in every respect to have a good and friendly understanding. And I am compelled to say, that for the original differences which have existed between us and that State the main portion of the blame rests upon the conduct of the British Government, and I should be exceedingly glad if the noble Lord the Foreign Secretary, by mediation or otherwise, has taken steps for putting an end to this unfortunate estrangement. I am anxious, therefore, to hear some account from him of the present state of our relations with Brazil, and of what may have been done towards restoring that good understanding which is so desirable for the interest of both countries. My Lords, I pass over the three little wars in which this country has been or is engaged. I pass by that most unfortunate civil war in New Zealand—for such it amounts to —without expressing any opinion on the merits or demerits of that question. It is, at all events, a war of the most lamentable character, to which every one must feel it desirable that an end should be put as soon as possible. Nor will I refer to the little engagement with the Daimio in Japan, who, in opposition it appears to the Government of his country, had ventured to provoke the hostility of all the navies of Europe, and which ended in the only way one would naturally expect. Neither do I wish to dwell on another little civil war, with respect to which Her

Majesty's Government have not furnished information as to whom the parties are. We learn from Her Majesty's Message that the condition of India is generally satisfactory, but, nevertheless, we are informed that—

> "Long continued outrages on the persons and property of subjects of Her Majesty, and for which no redress could be had, have rendered it necessary to employ a force to obtain satisfaction for the past and security for the future."

Who the party is against whom these steps have been taken, from whom redress is to be obtained, who have taken steps to punish him, who could obtain no redress, who is to have satisfaction, and what injury has been sustained, we may conjecture and collect from the examination of other documents; but, as far as the Queen's Message is concerned, the country is left in the dark as to the party with whom we are at war in India. It is unfortunate to find that the civil war still continues in America; and I join in the expression of a hope, which I am sure every person in this country would rejoice to see realized, that there might be an early cessation of that deplorable contest. It is now nearly three years since the Secretary of State for Foreign Affairs, following in the wake of Mr. Seward, announced that he had every reason to suppose that another month would see the conclusion of the hostilities in America. Three years have gone, and yet those hostilities are carried on with more than usual, I might almost say, savagery, spreading desolation over large tracts of country, destroying the lives and property of peaceable inhabitants, and tending to embitter and envenom the ineradicable hatred between the people of the two sections of America to such an extent as, in my opinion, will render future reconcilement impossible; so that the only practicable result would be the separation of the two portions of the country, or the entire subjugation of the one by the other. It is impossible that every one must not earnestly desire any step to be taken that may lead to a possibility of reconciliation or to a termination of the war. In the interests of every humane and generous feeling, great credit would be due to those who could in any way bring about the cessation of this cruel contest. At the same time, I am not one in the least disposed to move from the position of neutrality professed, and, I hope, maintained by Her Majesty's Government; but I confess I look with great anxiety and no little apprehension to some symptoms which appear to me to show that that neutrality has not been received by the party to whom unquestionably it has been most favourable with that good will and gratitude to which I think it was fairly entitled. I do not now refer to expressions published in Federal newspapers, or made use of by individuals in the Congress or upon platforms, or to language in despatches or official documents addressed to authorities in America with respect to this country, which, under ordinary circumstances, could hardly be regarded as otherwise than provocative of hostility; but I do look with the deepest concern upon two measures which have received the sanction of the Senate of the United States—one for giving notice of the termination of the Treaty of Reciprocity with Canada, and the other for giving the still more important notice for the termination of that treaty by which the naval force on the lakes is restrained and limited. Of these two measures, it is impossible not to say that they are both adopted in a spirit of hostility towards this country. The first of them throws open questions of the most delicate and difficult character. The American people have derived, as they do not deny, great commercial advantages from the Reciprocity Treaty, and its termination is advocated only on the avowed ground that Canada derives still greater advantages. One effect of the termination of that treaty would be, if I am not mistaken, that the whole of the complicated question of the fisheries, from the settlement of which the United States have derived incalculable advantage, would at once be thrown open. My Lords, I am old enough to remember what serious complications and difficulties questions connected with the fisheries occasioned, and how near to the point of war they led this country and the United States; and now all these questions are gratuitously, and apparently without the slightest reason, thrown open, at the risk and danger of war—than which nothing could be more deplorable—between this country and the United States. It is not a little significant, too, that at the same time when the abrogation of this commercial treaty lays open all these points of danger and difficulty there is another step taken to abrogate another treaty. For a long period the lakes have had on both their shores an industrious people peaceful and prosperous, and have served as the means of peaceful and profitable commerce between the two countries lying on either side of them and opposite each other; but I can recollect a period in the late American war when there was a race of shipbuilding on the two sides of the lakes, and when the party obtaining the supremacy in that matter gained the control of the lakes and the mastery of both shores. That state of things was put an end to by the treaty; but now America is the party who, without the slightest provocation or ground, so far as warlike operations went, and without the slightest pretext of injury, breaks through that treaty and declares an intention of increasing its force on the lakes, thus rendering it necessary on the part of this country to take corresponding measures. I do not ask the Government what steps they have taken, but I do say this, that they will be deeply responsible if they are not awake to the peril in which the country is placed by these two acts of the American Government, followed up by an intention to employ a preponderating force on the lakes. That force can only be for aggression; for to speak of an attack by Canada upon the United States is to speak of a physical impossibility. Canada has a long frontier, peculiarly open to aggression, being accessible by water as by land, and unless you have a preponderating power on the lakes, but, above all, if you allow the neighbouring Power to have a preponderating force there, you place Canada at the disposal of the United States. Under these circumstances, I see with additional satisfaction that which is probably the most important part of the Royal Speech—I mean the announcement that Her Majesty has given her sanction to the proposed federation of the British North American Provinces. I hope I may regard that federation as a measure tending to constitute a Power strong enough, with the aid of this country, which I trust may never be withdrawn from those provinces, to defend themselves against any aggression, and to acquire an importance which separately they could not obtain, but which combined would raise them to a Power of no inconsiderable dimensions. If I saw in this proposed federation a desire to separate from this country, I should think it a matter of much more doubtful policy and advantage; but I perceive, with satisfaction, that no such wish is entertained. Perhaps it is premature to discuss at present resolutions not yet submitted to the different provincial Legislatures, but I hope I see in the terms of that proposed federation an earnest desire on the part of the Provinces to maintain for themselves the blessing of the connection with this country, a determined and deliberate preference for monarchical over republican institutions, and a desire to maintain as long as it can be done peaceably and amicably the union that exists between this country and those Provinces. Adverting to the state of affairs at home, it is gratifying to be assured by Her Majesty's Government that the general condition of the country is satisfactory. Her Majesty's Speech then goes on to speak of the distress prevailing in the manufacturing districts. Unfortunately, the state of my health has not enabled me to give to the matter the attention I could have desired, but from the reports I have received from time to time there appears no question that the distress has generally abated. We have seen the worst of the crisis, and we may now look forward to a return of prosperity, with some fluctuations no doubt, in those districts. Her Majesty's Speech refers to the useful results derived from the Act for the encouragement of public works in those districts. I am not about to deny that many useful results have proceeded from that Act, that many works were undertaken and much more employment afforded under it than would otherwise have been possible; but I regret to say that the persons deriving the greatest advantage from the application of the Act did not belong to the class it was intended to benefit. The advantage derived by the cotton operatives was infinitesimally small, though, no doubt, they gained an advantage from the general benefit given to trade. With every desire to carry on works which would be of benefit to the community, I think the Poor Law Board were hasty in accepting proposals—at least, I am acquainted with some singular instances of the kind—for works which required a large amount of skilled labour and an infinitesimally small portion of that unskilled labour which it was the principal object to employ.

My Lords, I confess that I was not able to follow the details brought forward by the noble Mover of the Address (the Earl of Charlemont), and the statistics by which he proved to his own satisfaction, and no doubt to the satisfaction of those who heard him, the increasing prosperity of

Ireland. The patriotism of the noble Earl undoubtedly led him to give to the subject a larger amount of attention than is consistent with the space assigned to it in the Queen's Speech, a space hardly in proportion to what the importance of the subject deserves; and I am sure your Lordships will be gratified to hear, from his own personal experience, a confirmation of the statement that Ireland is really becoming more prosperous. My Lords, I will not comment upon the domestic legislation which we are promised in the course of the present Session. It may be of a very useful, it certainly is not of a very exciting character; and with regard to any measures of the kind which may be proposed, I am sure that your Lordships, without distinction of party, will endeavour to remedy existing evils. There is one subject as to which I regret that legislation is intended — I mean the Report of the Commissioners of Public Schools. That Report was a very valuable one, and contained an immense mass of useful information, with some practical suggestions. Perhaps in the presence of my noble Friend opposite (the Earl of Clarendon), who was a distinguished Member of the Commission, I should not say—

> "Sunt bona, sunt quædam mediocria, sunt mala plura
> Quæ legis."

This I will say, that those suggestions in the Report require earnest and careful attention; but I think it would have been very desirable that another year should be given to enable the governing bodies of the public schools concerned to take into consideration the recommendations of the Commissioners, and see what portion of them they could, with advantage to the institutions over which they preside, of their own accord introduce. I am sure that voluntary amendments on the part of the authorities would be likely to prove more satisfactory in their working than those forced upon them by Parliamentary legislation. My own opinion is, that while aiming at theoretical excellence and proposing schemes which look extremely well upon paper, the result may be to introduce in practice a state of things which will not work so satisfactorily and will not on the whole be so productive of good results as even the existing state of public schools, with all their faults, much less the state of those schools if reforms were introduced by the voluntary action of the authorities. My Lords, I need not say that I have no intention of offering any opposition to the Address, which, like the Speech, offending no prejudices, pressing for no criticism, calling for no declaration of opinion, and being perfectly innocuous as the Speech itself, will command, if not the hearty, at least the unanimous assent of your Lordships.

EARL GRANVILLE: My Lords, I am happy to find that the speech of my noble Friend (the Earl of Derby) answers so well to his description of the Address—that it is extremely innocuous, and renders my task in following him comparatively an easy one. I feared at the beginning of the evening lest there should be some weak point in our Address. My noble Friend is not one to let an opportunity pass; and we may safely assume, therefore, that if he attacked nothing, there was nothing he could attack with justice, and that though so cunning of fence, he could discover no weak joint in our harness. The noble Earl has displayed throughout a good-humour and a kindness which I cannot but appreciate; and I am sure that your Lordships will rejoice that he is here among us in recovered health, and apparently so strong and well. It occurred to me that that recovery might be one reason for my noble Friend's good humour, and that a second may be the great literary success he has lately achieved—as to which I am sure there is not one of your Lordships who does not feel pride and satisfaction at the additional lustre which has been given to this House by one who is certainly among its brightest ornaments. It turns out, however, that these were not the reasons why my noble Friend was so goodhumoured; neither was it that that was a round Speech adapted to a round hole—but his satisfaction arose from the fact that he hopes to lie quiet for a few months, tranquilly expecting that the next Parliament will see him wafted into office and enjoying the sweets which come with office. The noble Earl, in short, is ready just now to forgive us all our faults, because, to quote the very terse words of his own translation of Homer, he looks

> "To fill his coffers with the spoils of war."

The noble Earl's speech really requires very little answer. He touched lightly upon that part of the speech which refers to the termination of a war which, while it continued, was very painfully felt in this country; and with regard to certain "little wars" of our own, I am glad that he finds no fault with the eminently successful expedition in Japan, which will, I hope, insure for us very considerable advantages in that country. The noble Earl also abstained from any criticism with regard to the war in New Zealand. Now, I am sure that Her Majesty's Government feel as deeply as any persons their responsibility as to that war. We believe that the war has now arrived very nearly at a conclusion, and the only object of the Government has been to bring it to such an end as to show the Natives the superior power of this country, and to insure a peace which will give safety to the colonists, while affording to the Natives guarantees for all their just rights. By an omission in the Speech the locality of the war in Bhootan has certainly not been very accurately defined; but it is impossible to deny that it is a just and a necessary war.

THE EARL OF DERBY: I did not know what it was about.

EARL GRANVILLE: There are certain districts called the Dooars, which belong partly to the Natives and partly to Her Majesty's Government. For many years it has been the constant practice of the mountain tribes to pour down from their fastnesses and carry off into slavery men and women the subjects of Her Majesty. Mission after mission has been sent with a view to put an end to this state of things, but in vain, and Mr. Eden not only entirely failed in obtaining reparation, but suffered injury in health, and hardly escaped with life. An expedition was therefore sent; two forts were evacuated, and one was taken with hardly any loss beyond that inflicted by an accidental explosion in our own lines. We now hold those forts, and intend so to hold them, taking precautions, at the same time, against similar aggression. Among the other subjects on which the noble Earl dilated was that of the severance of diplomatic relations with Brazil; and I am sure he will be glad to learn that negotiations are going on for the amicable settlement of that question. With regard to our relations with the United States, I think it is desirable that now, or at some future time, your Lordships should hear some statement from my noble Friend (Earl Russell). Meanwhile it should be remembered, that if in the instances alluded to by the noble Earl the people of the United States have shown some irritation, there is no doubt they have had some cause for irritation, arising out of the Confederate raids across the frontier. Ample time, however, remains for friendly negotiation between the two Governments. As to the operation of the Public Works Act, I am glad to find that my noble Friend concurs in the main with the manner in which that Act has been administered in Lancashire. The reports of the works carried on there leads me to think that great good cannot but result from them. My noble Friend must remember that it is almost impossible but that a certain portion of the funds expended under that Act should go to others than the cotton operatives. It is indispensable to call in a certain proportion of skilled workmen to aid the labours of the unskilled operatives. With regard to the state of Ireland, I am sure that your Lordships must have listened with satisfaction to the most interesting account given by the noble Earl (the Earl of Charlemont) who moved the Address, and who has good right from the name he bears to be held in the highest estimation, of the growing prosperity of that part of the United Kingdom. No doubt there is still distress in certain counties, but the statistics given prove conclusively that on the whole the trade and manufactures of Ireland have greatly increased, and show great promise for the future in the only way which will permanently benefit that country. I must say I do not agree with the noble Earl in his estimate of the value of the Public Schools Report. In so long a Report it is not likely that every sentiment should stand the test of minute investigation and sifting. I believe that Report has been of great advantage, and when my noble Friend behind me (the Earl of Clarendon) introduces a Bill, which I hope he will do shortly, to carry out its recommendations, the noble Earl will find that we do not intend to deal with the subject in that rapid decisive way he supposes, without giving time for consideration to the parties most interested and most competent to deal with it. My Lords, I think it is a very gratifying thing for the country to see both parties, at the opening of what the noble Earl justly calls a moribund Parliament, agreeing as to the really satisfactory state of affairs; and when we consider all the advantages we enjoy—that we have a peace which is not likely to be broken—the satisfactory condition of our commerce and of our revenue, and the loyalty which is felt in every part of the country, we must feel that we have every reason to be grateful. And what ought to make us still more proud of the good government which must undoubtedly have prevailed among us, is to find that our North American Colonies, in expressing their wish to continue their connection with this country, and in adopting the new institutions they have been considering with such calm and prudent statesmanship, have thought it desirable to keep as close as possible to the constitution and institutions under which we so happily live.

THE EARL OF LEITRIM was understood to deny that Ireland is in a satisfactory or improving condition. He would, however, congratulate the Government on the choice they had made of the new Lord Lieutenant, and he entirely approved the manner in which the noble Lord (Lord Wodehouse) had managed affairs since his arrival in Ireland. In his opinion, Ireland would never attain prosperity until she was restored to her constitutional rights and privileges, and the present military style of government got rid of.

EARL RUSSELL: My Lords, it must be a great satisfaction to Her Majesty's Government that the noble Earl opposite (the Earl of Derby), who on former occasions has thought that he had ground for finding fault with the conduct of foreign affairs, should on this occasion have so little fault to find. At the same time there are two subjects on which the noble Earl wished for information, part of which I am able to give him. The noble Earl spoke of the Brazilian question, and said he thought the interruption of diplomatic relations with that country was matter of blame against Her Majesty's Government. Now, the case was this—that an English merchant ship having been wrecked, it was pillaged, and ten persons, who formed the crew and passengers, were missing, there being no account given of their bodies, or how they had come by their deaths. Does the noble Earl mean that the British Government was to be wholly indifferent to the subject—that the property and lives of Her Majesty's subjects were not to be matter of inquiry on the part of Her Majesty's authorities in that country? And yet that was all that was done. We asked for inquiry. That inquiry was not given. We then asked what we had a right by International Law to ask—we asked for an indemnity for the pillage and probable murder. [Lord CHELMSFORD: Possible murder.] No; the word was "probable" murder; and after the report of Admiral Warren I cannot have the smallest doubt that some at least, but I think the majority, were murdered by the lawless people who inhabit that region. Well, we asked for an indemnity. That indemnity was not given. Her Majesty's Government then ordered reprisals. Those reprisals were carried into effect, and a certain sum was paid by the Brazilian Government for that for which we claimed an indemnity. That sum was regularly paid. The Brazilian Government did not ask for anything on the ground of the reprisals, and that was almost a confession that they had been wrong in not ordering an inquiry into the subject. I certainly, for my part, can never be ashamed of having shown some anxiety about the fate of these subjects of Her Majesty. But the Brazilian Government said, although they made no claim on the score of the reprisals, that they did think that the manner in which those reprisals were carried into effect showed a disposition, as they maintained, to offer an affront and indignity to the Empire of Brazil. I maintain that is untrue. We entirely deny that accusation. Afterwards the King of Portugal offered his mediation, and we willingly accepted it. The King of Portugal then proposed terms which we did not think such as it was possible for Her Majesty's Government to accede to without giving up the rights which belonged to Her Majesty and all maritime Powers. There was a counter proposition sent to Brazil, but it was not accepted by Brazil, and three or four days ago I received an official notification of its non-acceptance. The desire of Her Majesty's Government was to restore the relations with Brazil—not pacific relations, for there had never been any interruption of peace, but diplomatic relations—and we have made a proposition which we hope the King of Portugal will convey to the Emperor of Brazil, and we trust that it will be accepted, and that diplomatic relations will be resumed. It is not a state of things of a very melancholy nature, but it amounts to an interruption of diplomatic relations. If we had intended any affront to the Emperor of Brazil in the manner in which these reprisals were executed, we should, no doubt, have been highly to blame; but no affront was ever intended — we only executed reprisals as other Powers have executed them. The Emperor of Brazil himself has had complaints against the Republic of Uruguay, and he has not only acted as we have done, but he has occupied a great portion of the territory of that Republic. The Emperor of Brazil has thought himself justified by the grievances which his subjects have suffered from the Republic of Uruguay to execute reprisals; and we can never admit that the power given by the Law of Nations, which the Emperor of Brazil has exercised, Her Majesty, as the Sovereign of a great maritime Power, should not also possess. The other subject to which the noble Earl referred is a very difficult one. It is one which is the subject of constant—almost daily—disputes and contests, and which I should scarcely notice were it not that the noble Earl has hardly done justice to the two parties to the dispute, and has not sufficiently allowed for the irritation which prevails in the United States. Now, what I think is unjust on the part of the Government and of the Congress of the United States with regard to ourselves is this—that they seem to expect not only that we should do everything which the Law of Nations demands, and which the municipal laws of this country enable us to do; but they seem to expect that we should altogether be able to prevent any aid being given to their enemies—to the Confederates. Now, Her Majesty's Government have used every means from time to time to prevent war being carried on from this country as a basis against the United States of America, which are in peaceful relations with Her Majesty; but, at the same time, it has been impossible to prevent acts which have caused, and I think naturally caused, great irritation in America. We have had ships fitted out here which have afterwards been sent great distances, and there received their armaments and provisions, and then been employed to prey upon the commerce of the United States. We had correspondence in our hands which showed that Confederate agents were continually employed either in building ships in this country, or in buying merchant ships which might afterwards be sent to France, and thence to other stations, where they might be fitted out as cruisers against the commerce of the United States. Now, I do say that, in fairness, when the authorities of the United States see a number of ships that come in some way or other from English ports and English rivers, and that these ships are afterwards fitted out as men-of-war, and that their commerce suffers very grievously from it—I do say it is natural that they should feel irritation. But they ought at the same time certainly to ask this question—whether Her Majesty's Government have done everything which the Law of Nations authorises, and the municipal law of this country permits, to prevent this country being made the basis of warlike operations, so as to involve us in a war against the United States. I do not feel at all surprised that the Government of the United States should be annoyed and feel deeply that those who are the friends of those States should have their territories made the basis of these operations. So again with regard to Canada. The noble Earl seems to imagine that the United States, without any reason whatever, but from mere hostility, as he called it, against this country, had denounced that useful convention with regard to the lakes. But the case was this:—The Confederate Government, apparently determined, if possible, to involve this country in war, finding their own resources not sufficient to carry on a successful war, sent persons into the lakes, which are not in the Confederate territory, which are no part of our own territory, but which belong either to the United States or to the United Kingdom of Great Britain—they sent agents into those territories to seize ships that were navigating the lakes, with a view to take possession by force of men-of-war and other ships belonging to the United States, and to set free prisoners of war in those States. I say again it is not wonderful that the United States, considering the Canadian lakes the possession of a Sovereign friendly to them, should be indignant when they found that operations of war were carried on in those lakes. Well, they adopted a mode which again I think was not unnatural. They say that if they remain in those lakes without any armaments — with nothing but unarmed ships—the Confederates will seize those ships, and make war upon the Canadian lakes. It is a very painful thing, and a matter which may become dangerous to the United States and Great Britain, if they are obliged to put an end to or to suspend that Convention which has been so useful in contributing to the peace of the two countries; but, at the same time, I cannot expect that the United States should ever permit that war should be made against them on the lakes, and that they should have no means of defence. For my own part, I think that the Confederate States—it may be natural on their part, but I think that the attempt to make the Canadian soil the basis of operations, some of them perhaps of a character that may be belligerent, but others more resembling the robbery and murder which take place in social life—that in that attempt they do what is most unjust, and I trust that Her Majesty's Government will be able, as they have proposed to the Canadian Parliament, to preserve the neutrality of Her Majesty as it has been hitherto preserved. At the same time, in the irritation that has been aroused, there has been a disposition with respect to two questions to make, I think, most unfounded accusations against the Government of this country. They have complained that we have allowed a belligerent character to the Confederate States. My Lords, looking at the character of the contest, looking at the immense territory possessed by the Confederates, and looking at the great operations of war which they have carried on, what could Her Majesty's Government do but allow them the character of belligerents? I know of no instance where there has been so mighty an enterprize as that civil war now carried on by the Confederates in which the belligerent character has not been allowed by the neutral States. There is another matter with regard to which there is a great deal of popular agitation, and every now and then there is a sort of threat that the day will come when the United States Government will make demands on Her Majesty's Government. Your Lordships heard last year, and the year before I think, that demands would be made by the United States of America for the capture and destruction of merchant ships by the *Alabama* and other vessels, which having some of their original build in England were afterwards conveyed to distant ports, and there received armaments which enabled them to cruise against the commerce of the United States. I must say, looking to the reason of the thing, looking at all the precedents, looking at International Law, looking at the declarations that were made while the United States Government themselves, in the case of the Spanish and Portuguese war, when there were ships of war directly fitted out from the United States ports during the South American contest which preyed on the commerce of Spain and Portugal—I must say that such a claim on the part of the United States Government upon this country would be entirely unjust. Therefore, my Lords, while I say that we are bound to make every allowance for irritation that may arise in the United States in the course of the war that has come upon them most unexpectedly, and has caused to both sides great loss—we think unnecessarily—while we make every allowance for that irritation, while we are most strict and most scrupulous in performing all the duties of neutrality, we must not allow any of those unfounded claims to be pressed as founded in justice. There is one thing I cannot avoid saying before I sit down, on a subject affecting the welfare of mankind. When I see in this American contest an attempt to put an end to that horrible, that abominable crime of keeping men in slavery, of putting an end for ever to involuntary servitude in the constitution of the United States, I do rejoice that a great blot is about to be removed from the character of a civilized nation. I do rejoice that mankind may be led to hope that with regard to all civilized nations the crime of slavery may be blotted out for ever, and that freedom may be the rule of the world.

Address *agreed to;* and Ordered to be presented to Her Majesty by the Lords with White Staves.

CHAIRMAN OF COMMITTEES.

The Lord Redesdale appointed, *Nemine Dissentiente*, to take the Chair in all Committees of this House for this Session.

Committee for Privileges—Appointed.

Sub-Committee for the Journals—Appointed.

Appeal Committee—Appointed.

House adjourned at half past Seven o'clock,
to Thursday next, a quarter
before Five o'clock.

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HOUSE OF COMMONS,

Tuesday, February 7, 1865.

The House met at a quarter before Two of the clock.

Message to attend the Lords Commissioners;—

The House went;—and having returned;

Mr. SPEAKER acquainted the House that he had issued Warrants for *New Writs*, for Hastings, *v.* Lord Harry Vane, now Duke of Cleveland; for Carmarthen Borough, *v.* David Morris, esq., deceased; for Suffolk County (Western Division), *v.* Earl Jermyn, now Marquis of Bristol; for Warwick County (Northern Division) *v.* Richard Spooner, esq., deceased; for Bute County, *v.* David Mure, esq., one of the Judges of the Court of Session in Scotland.

NEW MEMBERS SWORN.

For Exeter, Lord Courtenay; for Suffolk County (Western Division), Lord Augustus Henry Charles Hervey; for Warwick County (Northern Division), William Davenport Bromley, esq.; for Carmarthen Borough, William Morris, esq.; for Hastings, Hon. George Waldegrave Leslie.

PRIVILEGES.

Ordered, That a Committee of Privileges be appointed.

OUTLAWRIES BILL.

Bill "for the more effectual preventing Clandestine Outlawries," read 1°.

NEW WRITS.

For Tralee, *v.* Right Hon. Thomas O'Hagan, one of the Judges of the Court of Common Pleas in Ireland; for Cork City, *v.* Francis Lyons, esq., Steward of Hempholme; for Salford, *v.* Right Hon. William Nathaniel Massey, Member of the Council of India; for Truro, *v.* Montague Edward Smith, esq., one of the Judges of the Court of Common Pleas.

THE LORDS COMMISSIONERS' SPEECH.

Mr. SPEAKER *reported,* That the House had been at the House of Peers at the desire of the Lords Commissioners appointed under the Great Seal for opening and holding this present Parliament; and that the Lord High Chancellor, being one of the said Commissioners, made a Speech to both Houses of Parliament, of which Mr. Speaker said he had, for greater accuracy, obtained a copy; which he read to the House.

ADDRESS TO HER MAJESTY ON THE LORDS COMMISSIONERS' SPEECH.

Sir HEDWORTH WILLIAMSON: Sir, before I proceed to offer a few observations to the House, custom requires from me that I should ask hon. Members to give me that kind indulgence which they usually afford to those who address them for the first time; and I must ask for a great share of that indulgence, as I have had but a very short time the honour of occupying a seat in Parliament. I am, consequently, not very well acquainted with the regulations which govern your proceedings. Sir, after expressing in the opening paragraph of the Speech the satisfaction Her Majesty feels in again meeting Her Parliament, Her Majesty proceeds to allude to a question which last year afforded the greatest uneasiness, not only in this country, but throughout the whole of Europe, involving, as it did, not only the probability, but the possibility of an European war. That has happily and luckily passed away, because we are told that those difficulties which then existed between Denmark and the German Powers have been overcome and a peace completed. The Danish question occupied such a large portion of the attention of the House during the last Session, and it was then so ably discussed in all its branches, especially the memorable debate which took place in July, shortly before the prorogation, that it is hardly necessary that I should now trouble the House upon the subject. The House of Commons on that occasion pronounced an opinion which, I think, was perfectly and fully borne out by the country; and although it was admitted on all sides that it was a melancholy spectacle to see a brave and gallant, though small, State like Denmark, unsuccessfully resisting the hostile attack of two such powerful neighbours as those with whom she had to contend, yet, considering the interests involved, it would have been most impolitic for England to have entered into that quarrel single-handed. But peace having been re-established, let us hope that the animosities which embittered the relations between the contending parties will pass away, and that more friendly relations will be established between Denmark and the great Powers of Germany. So far as this country is concerned, it is gratifying to find that the friendship between Her and Denmark has not been diminished by past events, if we may judge from the reception given to the Prince of Wales when he accompanied the Princess to the land of her birth. So cordial and gratifying, indeed, was that reception, that I think it almost went beyond what is usually accorded on such occasions, and it partook more of an attempt to express, so far as the people of this country are concerned, the good will or good feeling which prevailed on the part of the Danish nation.

The next part of the Speech has reference to the civil war now unhappily raging in North America, and I do not think Her Majesty could have better expressed the feelings of the House and the country than She has done in stating that it is her intention to pursue the same strict neutrality in reference to it that has hitherto distinguished her conduct. Not only has that policy been adopted by Her Majesty's Government, but also by the people of this country, so far as I can learn; and, therefore, I cannot understand why some portion of the North American press, and some of the people of that country, should apparently entertain feelings so little friendly to this country. However that may be, it must be satisfactory to us to know that abundant proof has been given by the American executive Government to the contrary, and more especially the President has shown his determination, as far as he possibly can, to uphold and maintain friendly relations with this country, for he has on a late occasion disavowed and rebuked some intemperate and imprudent language used by an over-zealous subordinate tending towards hostility to this country; and I believe that the manner in which the very delicate questions involving British interests which must have come before the Admiralty and other Prize Courts of America have been dealt with, is a proof also that the executive Government at Washington is determined, so far as it possibly can, to abide by the treaty engagements entered into by them with this country.

The next paragraph of Her Majesty's Speech refers to the quarrel that has taken place with a Japanese daimio; but I am happy to find that the operations of the combined squadrons of England, France, and the United States have been attended with complete success. As this is rather a complicated question, and inasmuch as the papers connected with it are to be laid before the House, it is not necessary for me to allude further to it than to express my satisfaction that the vigorous action of the English, French, and North American squadrons against the Japanese potentate—whoever he may be—has not put an end to the friendly relations between this country and the Government of the Tycoon.

Her Majesty then proceeds to inform us that She regrets the conflict with some of the New Zealand tribes has not yet been brought to a close; and no doubt many in this House will share those feelings of regret, and even go a little further, and regret that such a war has been at all necessary, because they are aware that the Natives of New Zealand are of a superior order to those wild tribes which Anglo-Saxon colonists have had to cope with in other colonies. They are not only proficient in the art of war, but they also take advantage of their coming into contact with Europeans to study the arts of peace and adopt those vices of civilization much less than other aboriginal tribes which often, I am afraid, follow the steps of the civilization of Europe. This being the case, the Government, I think, are right in trying to adopt towards the superior orders of the Natives a policy of conciliation, and not try to follow out that policy of oppression which is too often consequent upon the conquests of the white race over the natives, and too generally leads to the utter extermination of the aboriginal races. No doubt, if this policy of conciliation can be successfully carried out, I think the country will be found large enough for the amalgamation of the two races, and that both might exist together with mutual benefit to each other. These being my views, I am glad that Her Majesty has informed the Natives who are still in arms, that they will be dealt with after their complete submission not as rebellious subjects but on equitable conditions.

Sir, I now come to the paragraph of the Speech which refers to the proposed confederation of Her Majesty's North American possessions; but as I find it announced that a Bill will be laid before the House in the course of the Session, and this question will then be amply discussed, it is unnecessary that I should trouble you much about it now other than to congratulate the new nationality that has been formed, and the expression of a hope that it will not only be of use to the Home Government, but will be a blessing and a safeguard to Her Majesty's North American possessions.

I now come to a part of Her Majesty's Speech which requires the serious consideration of the House of Commons—the paragraph which treats of India; and it is satisfactory to find that tranquillity prevails over the whole of that Empire with the exception of the province of Bhootan, where unhappily some disturbances have arisen, and to which place it has been necessary to send European troops to demand satisfaction. No doubt that will be easily obtained and readily given. The general tranquillity of India is, I think, illustrated in a particular manner by that great durbar that was held at Lahore by the Governor General, when 600 Native Princes from different parts of India, representing all shades of opinion, assembled at the request of the Governor General. I think it must have been a very fine sight—not only fine to the eye, but suggestive of feelings calculated to cause serious reflections, to see the Viceroy arrive in his place, in the midst of that vast assembly, and address the Native Chiefs in a few kind words in their own language, explaining and impressing upon them what was expected of them in relation to their allegiance to the Queen. It must also have been a grand sight to see them own their allegiance to the Viceroy, and through him to the mighty Sovereign whom he represents. But it is not only in the military tranquillity of India that we have to rejoice, but it is satisfactory to know that not only is India tranquil, but that a great increase in her manufactures and commerce is the consequent result. Labour, I believe, in India was not long ago most easy to obtain, but now I am informed it is much more difficult to procure it. Wages have risen in consequence of the large tracts of country that have been devoted to the cultivation of cotton, a large quantity of which has come to this country, and been the means of alleviating the distress that prevailed in our manufacturing districts. No doubt the samples are not so good as we were accustomed to obtain before the unhappy war broke out in America, but it is gratifying to find an increased development of industry in India, and I, for one, think that great benefits may be expected to follow from it. Her Majesty could not conclude her review of Indian topics without an allusion to one of the greatest calamities of modern times. I believe that since the great earthquake at Lisbon there has been no case of 60,000 human beings being hurried in a few minutes into eternity. It is most appalling to think of; and the consequent distress through this disaster has been very great in the districts around Calcutta. Her Majesty informs us, however, that the assistance of the officers of the Government, and the charity of the residents, have done much to alleviate the distress; and I feel sure that if local efforts have fallen short, the charity of this country, which was never known to fail in a deserving case, will be cordially extended to the sufferers.

Sir, I have now alluded to most of the topics in the Speech relating to our foreign and colonial possessions. I will now proceed to offer the very few observations I have to make as to what is going on at home. It must be satisfactory to every Member of this House to know that things are going on prosperously and smoothly here. We have enjoyed the great blessing under Providence of a good harvest, and I am glad to say that Ireland has participated in that advantage. But it is unnecessary for me to allude particularly to Ireland, seeing it is represented here by so many Gentlemen of acknowledged eloquence and energy, and who are so much better calculated by knowledge and ability to speak with reference to it.

Although the taxation of the country has been from time to time modified by the ability of my right hon. Friend below me (the Chancellor of the Exchequer), we have a surplus of revenue, and we may hope for still further and greater reductions. I know not how the system of reduction can be fully carried out, until we and other nations have discovered the most efficacious means for destroying one another; for such ability is now displayed in the invention of martial engines that so soon as one excellent plan is invented, some one else invents one more excellent still. Of course, it would be a great evil if this country were suffered to fall behind other countries in warlike efficiency; but I hope the time will soon arrive when the talent and the money that are now expended on these inventions will be devoted to other objects likely to prove more beneficial to the interests of mankind.

I think it is not now necessary for me to allude to the different Bills that will be laid before the House—from my recent entry into the House I am not capable of doing full justice to them; but there are many measures of great usefulness promised in the Speech, especially that relating to the revision of the Statute Law—this has grown to such dimensions that such a process has become absolutely necessary. I leave the matter to the many legal Members of eminence in this House, confident that it will be dealt with wisely and effectually. There are some other subjects alluded to in the Speech, and the last paragraph of it alludes to a Bill founded on the Public Schools Commission Report. The Commission has made its Report on the large endowed Schools and Universities, which represent the education of the higher classes; they have also made a Report as to the National Schools, which explains the state of the education of the lower classes; but with reference to the middle-class endowed schools, there is still a deficiency of information, and it is therefore proper that inquiry should be instituted.

Sir, I have now touched, very inadequately, on most of the topics of the Speech; there is nothing in it open, I believe, to objection; and I think I have nothing more to do, therefore, than just to say, that as there are no great questions of foreign policy to be discussed this Session, or to occupy our time as they did last year, Parliament may turn with calm minds to the consideration of useful domestic topics. Let not, however, our prosperity render us arrogant towards other nations less happily placed, and then we may, without hypocrisy, join in the prayer of Her Most Gracious Majesty that the blessing of Almighty God may attend our councils and guide our deliberations to the attainment of the object of Her constant solicitude, the welfare and happiness of Her people.

I have to thank the House for the kind way in which they have received me, and beg to move—

" That an humble Address be presented to Her Majesty, to thank Her Majesty for the most gracious Speech delivered by Her Command to both Houses of Parliament :

" Humbly to thank Her Majesty for informing us that the negotiations in which the Emperor of Austria and the King of Prussia were engaged with the King of Denmark were brought to a conclusion by a Treaty of Peace ; and humbly to express the gratification with which we learn that the communications which Her Majesty receives from Foreign Powers lead Her to entertain a well-founded hope that no renewed disturbance of the Peace of Europe is to be apprehended :

" Humbly to thank Her Majesty for informing us that She remains steadfastly neutral between the contending parties in the Civil War which still unhappily continues in North America ; and to assure Her Majesty that with Her we should rejoice at a friendly reconciliation between them :

" To convey our thanks to Her Majesty for informing us that a Japanese Daimio in rebellion against his Sovereign, having infringed the rights accorded by Treaty to Great Britain and to certain other Powers, and that the Japanese Government having failed to compel him to desist from his lawless proceedings, the Diplomatic Agents and the Naval Commanders of Great Britain, France, the Netherlands, and the United States of North America undertook a combined operation for the purpose of asserting the rights which their respective Governments had obtained by Treaty ; and to express our hope that this operation, which has been attended with complete success, may by its result afford security for Foreign Commerce and additional strength to the Government of Japan, with which the relations of Her Majesty are friendly :

" Humbly to thank Her Majesty for commanding Papers on this subject to be laid before us :

" To assure Her Majesty that we learn with regret that the conflict with some of the Native Tribes in New Zealand has not yet been brought to a close ; and to thank Her Majesty for informing us that the successful efforts of Her Majesty's Regular Forces, supported by those raised in the Colony, have led to the submission of some of the Insurgents ; and that those who are still in arms have been acquainted with the equitable conditions on which their submission would be accepted :

" To express our gratification at learning that under Her Majesty's sanction, and at the invitation of Her Majesty's Governor General, a Conference of Delegates from Her several North American Provinces had assembled at Quebec. That those Delegates had adopted Resolutions having for their object a closer union of those Provinces under a Central Government, and that if those Resolutions shall be approved by the Provincial Legislatures, Her Majesty will cause a Bill to be laid before us for carrying this important Measure into effect :

" To assure Her Majesty that with Her Majesty we rejoice at the general tranquillity of Her

Indian Dominion, and to thank Her Majesty for informing us that long-continued outrages on the persons and property of Subjects of Her Majesty having occurred, for which no redress could be had, it became necessary to employ a Force to obtain satisfaction for the past and security for the future:

"Humbly to express to Her Majesty our regret at the calamity which has recently occasioned great loss of life and property at Calcutta, and at other places in India, and our trust that the prompt assistance rendered by the officers of the Government, and the generous contributions which have been made in various parts of India, may have relieved the sufferings which have thus been occasioned:

"To thank Her Majesty for having directed the Estimates for the ensuing year to be laid before us, and for having caused them to be framed with a due regard to economy, and to the efficiency of the Public Service:

"To assure Her Majesty that we learn with gratification that the general condition of the Country is satisfactory; that the Revenue realises its estimated amount; that the distress which prevailed in some of the Manufacturing Districts has greatly abated, while the Act passed for the encouragement of Public Works in those Districts has been attended with useful results; and that Ireland during the past year has had its share in the advantage of a good Harvest, with a gradual extension of Trade and Manufactures:

"Humbly to assure Her Majesty that we will give our earnest attention to the measures of public usefulness which may be submitted for our consideration:

"To thank Her Majesty for informing us that Bills will be laid before us for the concentration of all the Courts of Law and Equity, with their attendant Offices, on a convenient site; for the completion of the Revision of the Statute Law; for the Amendment of the Law relating to Patents for Inventions; and for conferring on the County Courts an equitable jurisdiction in causes of small amount:

"To assure Her Majesty that our serious attention shall be given to the measures which may be proposed for carrying into effect certain Recommendations made to the House of Commons, after Inquiry directed by that House, into the Operation of the Laws regulating the Relief to the Poor, and to the Bill which will be laid before us, founded on the Report of the Commission for inquiring into Public Schools; and to thank Her Majesty for informing us that She has directed that a Commission shall be issued to inquire into Endowed and other Schools in England, which have not been included in the recent inquiries relating to popular Education; and humbly to assure Her Majesty that with Her we fervently pray that the blessing of Almighty God may attend our councils, and guide our deliberations to the advancement of the welfare and happiness of Her People."

MR. HANBURY TRACY: Sir, it is with great diffidence that I rise to second the Address, so ably and eloquently moved by the hon. Baronet beside me, and had I not known that it was intended as a compliment through me to the constituency which I have the honour to represent, I should have been inclined to shrink from so great a responsibility. Having, however, under these circumstances undertaken the task before me, I rely with confidence on that proverbial kindness and indulgence which has always been extended to a new Member on his first venturing to address the House. It is with great pleasure that I gather from the general tenor of the Speech from the Throne much that is calculated to inspire us not merely with gratitude for the past, but with sanguine anticipations for the future. If I might be allowed without fear of intrusion to touch on so delicate a topic, I should say that what was only wanting to complete the satisfaction with which we listened to that Speech was, that words of such pleasing import should have been dignified and graced by their delivery from the lips of Her Majesty in person. I am sure I only express the feelings of all around me when I add that it is our earnest prayer that our Gracious Queen may be able so far "to pluck from the memory a rooted sorrow" as to bring herself to gladden the hearts of her loving subjects by again appearing amongst them on occasions of this nature.

Sir, when we contrast the present condition of Continental affairs with that of the corresponding period of last year, it is impossible not to find ample cause for congratulation on their improved aspect, giving rise as it does to a well-founded hope of the maintenance of the peace of Europe. Though there are grave questions still open which may not be closed without disturbance, yet, on the whole, a strong disposition is manifest to settle disputes by other arbitrament than by that of the sword. In proportion as the blessings of free trade spread themselves wider and wider, we may look forward with more and more confidence to the time when the era of gigantic armaments shall end, and the resources of civilized nations shall be expended with greater profit in the cultivation of the arts of peace. Would that we could look at the state of affairs on the other side the Atlantic with similar satisfaction. There, however, while we have still to lament the continuance of an unhappy and devastating warfare in that once flourishing country, we have also to regret that the struggle has given birth to an unprovoked feeling of hostility to ourselves. From this gloomy prospect we turn with relief to the contemplation of the movement recently initiated by our fellow-subjects on that Continent. This is a question so important, so absorbing, that even if our attention had not been especially called to it by the Speech from the Throne to-day, it would be impossible to pass it over in silence. I refer, Sir, to the proposal which has recently emanated from the various Provinces of British North America to form themselves into a confederation, which cannot be otherwise than great and powerful. Sir, when we consider the present unprotected state of those Provinces, and the difficulty of defending them separately against any foreign attack, when we consider the enormous field which they offer for ages to come to our commercial enterprise, we cannot but view these proposals with favour, and almost unmixed satisfaction. The anxiety which has so often been expressed by this House with regard to the defence of Canada in the event of a rupture with the United States, convinces one, that when this great question involving the charter of Canadian liberty is brought before us, it will be discussed in no spirit of party controversy, but with the single object and desire of aiding and assisting the movement in every way compatible with Imperial policy. The days are gone by, Sir, when England looked with jealousy and suspicion on every act of her colonies, when the slightest system of combination amongst themselves would have been regarded as an omen of severance from us. England is no longer jealous of her children; she regards this scheme with emotions of pride and affection, mingled with wonder at the unanimity and loyalty expressed by the representatives of five distinct provinces. The success which the delegates have been able to achieve in organizing a scheme affecting such various distinctions of race, religion, and language, deserves our highest praise. Before passing from this subject, I must, as an independent Member of this House, express my sincere hope that this bright vision of the Canadian future may not be obscured by their injudicious perseverance in that false and suicidal policy, the enforcement of high protective duties. Although, Sir, during the last four years the damage inflicted by these protective measures cannot for one moment be compared to that created by the raising of the United States tariff, and the blockade of the Southern ports, yet the fact remains the same, that Canada has virtually succeeded in shutting out our commerce, and this notwithstanding all we have done for her, notwithstanding that we still spend for her benefit and that of her co-dependencies nearly a million of money. I do most sincerely trust, that when the Canadas, with their vast agricultural plains, are incorporated into the maritime provinces, with their boundless wealth of coal and iron, they will at last see the advantages of liberty in trade, and that we shall hear less and less of hostile tariffs. I think, in justice to England, it should be shown how totally at variance with the feelings which have always been expressed by the mother country is the return which Canada has made by closing the door against British commerce.

I am sure, Sir, that all must have heard with intense satisfaction the intelligence that the operations in Japan have been crowned with entire success. Not only may we congratulate ourselves on the completeness of this victory, but also on the gallant way in which it was won. I am confident it was with pride and admiration that the nation read the despatches detailing the conduct of our seamen on that occasion, showing as it did so clearly that whether wood or iron be the order of the day, whether the game be played at long range or short range, whether with a Whitworth or an Armstrong, the seamen of England have not degenerated, and that the same courage and indomitable spirit which gained their laurels in former years gives no sign of flagging. However much the frequency of these little wars are to be deplored, yet, in our relations with Japan, a country in which the government is so divided between the Tycoon, the friend of progress, and the Mikado, its bitter enemy, I think that we should keep a bold front, and, by so doing, overawe the *quasi*-feudal chieftains, and oblige them to show that respect for treaties which the Tycoon, although willing, is unable to enforce. It was on this footing that the hostilities at Nagasiki were undertaken in co-operation with the French, Dutch, and Americans, to compel the fulfilment of a treaty entered into for opening out the navigation of the inland seas which, owing to their nearness to Shanghai, is of the greatest commercial importance. It was with heartfelt grief and indignation that we read the other day the account of the treacherous murder of two of Her Majesty's officers in Japan, and I am afraid, Sir, it will be a long time before we have a permanent cessation of these cold-blooded atrocities, now unhappily almost periodical in their character, which send a thrill of horror through the veins of all civilized nations. In this particular instance, as far as we know from the reports which have as yet been received, the outrage seems to have been entirely unprovoked. It would appear that these two officers, riding on a pleasure excursion, were suddenly set upon from behind and barbarously and brutally murdered before they could offer any resistance. If any palliation can be offered for so grave a crime, it is that these outrages are to be attributed not so much to the spontaneous animosity of the people themselves as to the orders of their masters, the daimios, whose uncompromising hostility to all Europeans is now a matter of notoriety. The naval actions of Kagosima and Nagasiki were distinguished by the employment, for the first time in actual warfare, of our new naval rifled ordnance; and I think this first experience may, on the whole, be pronounced satisfactory. The prolonged trial of rival systems has given rise to much conflict of opinion as well as caused large expenditure, but there can be no doubt that such controversies benefit the country, in so far as they stimulate invention and sustain to the highest pitch the enterprise and vigour of our artillerists. It is instructive to learn that the Japanese —famous for their genius in the mehanical arts—are among the foremost admirers of our scientific gunnery, and have sought for—and, I fear, procured from this country—similar pieces to those which were so lately employed against themselves. Indeed, not only the Japanese, but almost every other nation pays us this practical compliment; and in the unbiassed selection dictated by the interest of the foreigner may perhaps be found the ultimate solution of our vexed domestic question of rifled naval ordnance. To whichever of the inventors he may incline, to England will belong the honour of taking the lead in this no less than in other metallic manufactures. But, Sir, of what avail in the utmost peril are the highest mechanical appliances, or even the native courage of the British sailor, without that heroic spirit of discipline to which, as a naval man, I may be perhaps allowed to pay my individual tribute. The accounts of the scene off the coast of Montevideo in the month of December last present to us a spectacle of devotion to duty which has perhaps never been surpassed even in the annals of the British navy. In the destruction of the *Bombay* by fire, Her Majesty's service has indeed to lament a heavy loss of lives; but they have left behind them a splendid moral example of coolness and presence of mind, under the most appalling circumstances, which will not quickly be forgotten.

Before I sit down, Sir, I must ask leave to add one word on the subject of home affairs. It must have been with sincere gratification that all have heard that the general commerce of the country has made satisfactory progress. When we contrast our present flourishing condition with what we might four years ago have anticipated, when we remember the difficulties and distress which the civil war in America was expected to create in all our manufactures, I seem to discern in this unlooked-for result rather the interposition of some superior power than the ordinary influence of human counsel. The revenue, notwithstanding the abatement of taxation, has increased with unparalleled success and public credit; the life-blood of the State is full of animation and vigour. The supply of cotton, about which we had just cause to be alarmed, notwithstanding the continuance of the causes which depress and disturb that important branch of industry, is increasing day by day, and the imports of the last year amount to £72,000,000, of which no less than £50,000,000 were retained for home consumption. These statistics show that its cultivation is being earnestly attended to, and warrant the hope that the present high price will soon be considerably lowered. We have seen during the last year the wonderful development of that system of joint-stock enterprises constructed on the basis of limited liability enlarging our commercial relations to an unprecedented extent. Although taxation to the amount of

£2,700,000 was taken off last year, we find the actual decrease in the returns to be of the most trifling nature. Each source of income seems to vie with the other in its readiness to spring back to its old proportions. It is a source of great satisfaction to find that the drain of bullion to the East which caused so much alarm has already in a great measure abated in the proportion of £12,000,000 in 1863, to £8,000,000 in 1864, showing that the exchange for the staples of India is now mainly effected by the export in large quantities of the commodities of cotton, iron, and copper. It appears by the Returns with which I have been favoured that the amount of bullion exported during the last year is £23,000,000, whilst the amount of that imported is no less than £27,000,000. The Returns of our mercantile shipping show that our carrying trade is becoming a more and more fertile source of wealth. No less than 23 million tons of shipping entered and cleared at our ports in 1864; and although we must not forget that a large number of American vessels have passed into our hands, English ships are more numerous, and are increasing in size every year. The scheme for the concentration of the Law Courts referred to in Her Majesty's Speech, and which has already been before Parliament, is one that commends itself to the early attention of this House as a measure of great utility not only to the profession of the law, but also to the suitors at large.

Sir, there are other matters in the Speech on which I might dilate, but I feel that I have already trespassed too long on the kindness and forbearance of this House, and I have only to thank the House for the patience with which they have listened to the observations I have felt called upon to make. I beg to second the Address.

Motion made and Question proposed, "That," &c. [*See page* 45.]

MR. SCULLY said, he should not have presented himself to the House if any other hon. Gentleman had seemed disposed to say a word. It would appear that Irish Members had rather given up the practice of speaking in public. [*Laughter.*] Hon. Gentlemen seemed to receive this statement with an incredulous laugh, but he was not aware that any Irish Member had opened his lips during the last recess—except one or two who had addressed public meetings under a sort of moral coercion. For himself, he would say that he had not opened his lips in any public form since Parliament sat last summer. On the other hand, he would like to know what public man in England had not been starring it in the provinces during the recess. The characteristics of the two nations seemed to have been completely reversed. Englishmen now seemed to be given to all sorts of tall talk. Even Cabinet Ministers condescended to address their constituents, although a few years ago it was regarded as opposed to public policy for a Minister to speak in public except on permission from the Treasury Bench. As Irish Members had remained silent during the recess, it was not unreasonable that they should ventilate their opinions in the House, which was supposed to be the proper place for that purpose. When O'Connell was considered a great agitator it was thought not exactly *comme-il-faut* for a Member of Parliament to go through the country during the recess and promulgate those opinions out of doors which it was his duty to express within those walls. Now every English Member was a sort of O'Connell—he would not say a small O'Connell—in his way, and addressed his constituents during the recess. He ought to make one exception. An hon. Member who used to favour his constituents with a summary of Parliamentary proceedings —his hon. Friend the Member for Derby (Mr. Bass)—had been quite taciturn of late, and in this respect had followed the example of the Irish Members. His reason for troubling the House on the present occasion was on account of the only paragraph in the Royal Speech with which he would be presumed to have any personal concern. That was a paragraph which, unfortunately, he knew to be incorrect. "Ireland during the past year," said the Speech, "has had its share in the advantages of a good harvest, and trade and manufactures are gradually extending in that part of the kingdom." If the trade and manufactures were extending, it must be very gradually indeed; for being well acquainted with Ireland he was not aware of any extension except in the north of the kingdom, where flax was grown; but in the other three Provinces there was no extension of trade or manufacture at all. A little attempt had been made to revive the flax cultivation, but in the three Provinces trade and manufactures were never in a more depressed state. There might be thirty or forty small mills employed in working up coarse tweeds, but the whole of them put together would not make one decent factory at Bradford. He would like, then, to know where the President of the Board of Trade procured the facts on which he based the statement that the trade and manufactures of Ireland were extending. Emigrants were leaving the country in enormous multitudes; but if the country was in such a prosperous state, why were the people leaving it? The statement that "Ireland has had its share in the advantages of a good harvest" was even more untrue than the other; for Ireland had derived no material advantage from the harvest of last year. Every Irishman who held an acre of land would bear him out that, though for grass land it had been a prosperous year, and cattle, sheep, butter, and wool had paid well, there seldom had been a worse year as far as tillage was concerned. Every landlord in Ireland knew that the tillage tenants were never more hardly pinched than during the last year. The main harvest in England was wheat, in Ireland the chief crop was oats; dry weather might agree with corn to a certain extent, but it was not good for oats at all. There had been, he admitted, a bountiful crop of potatoes, but wheat and barley were below the average; oats was a miserable crop; and the prices of all cereal produce were ruinously reduced. The turnip crop was also a bad one. Why, then, should the paragraph be allowed to remain in the Address? Ireland, upon the whole, though not in a starving condition, was seldom in a more unsatisfactory state than at this moment. There never was a more dissatisfied, discontented, and, he would add, a more disaffected feeling in the country than existed at the present time. It had been stated by eminent Englishmen over and over again that the Irish people who went abroad, where they could give free vent to their feelings, unfortunately showed that they left with very hostile feelings towards the institutions of the country they had deserted. In a recent pamphlet by the Professor of History at Oxford (Mr. Goldwin Smith), who went last year to America in order to judge for himself, that eminent gentleman states that, "The Irish in America are, with too much reason, our mortal enemies." Why should this state of things exist? Why were the Irish in America our enemies? Why did we not make them our friends? No people were more easily conciliated than the Irish, and, he was sorry to add, more easily cajoled. How could there be good legislation for Ireland when there was such misconception in the minds of the Ministry as to the actual condition of the people of that country? And this partly arose from there not being Irishmen in the Cabinet who could give the Government the facts. No Irish need ever apply for admission into a Whig Cabinet. The Lord Lieutenant of Ireland was not in the Cabinet; neither was the Chief Secretary. He could hardly suppose that if the Chief Secretary had been consulted he would have concurred in the statement contained in the Speech from the Throne, even though he might have derived his knowledge from taking another tour through the country on an outside car. He challenged any hon. Member from Ireland to get up and say that the statement in the Royal Speech was well borne out. He was disposed to move that the paragraph containing it should be omitted. It would have been better to have Ireland altogether ignored in the Speech from the Throne, as she had so often been before, than to have introduced such a misrepresentation. As matters stood, it would be advisable to introduce something to this effect in the Address:—"That the House regrets that the general condition of Ireland cannot be regarded as prosperous or satisfactory; and that multitudes of the inhabitants are emigrating to foreign countries through the want of remunerative employment at home." In the last report issued by the Great Southern and Western Railway Company of Ireland, it was stated that, whilst the returns for the last half year, as compared with the corresponding half year, exhibited an increase in the passenger traffic, there was a large decrease in the tonnage of goods and the number of cattle and sheep carried. It further appeared from that company's returns that the increased passenger traffic was principally due to the transit of troops. The directors stated that they were unable to come to any satisfactory solution of the result disclosed in their report. Perhaps they meant that no solution of the matter that could be come to would be satisfactory, but he thought he could easily find a solution of it. He might say that the goods were not in the country, and he should also observe that, in some cases at least, the cost of transit was more than it ought to be. In his speech at Bradford the other day, the hon. Member for that borough (Mr. W. E. Forster) said that the Irish question was pressing on us more and more—that the state of Ireland was a disgrace to England; and that though we might not now be misgoverning that country to the same extent as we had done in former times, we were misgoverning her on some important matters. Any one acquainted with the history of Ireland—which he supposed not one English Member was—must know that there had been continued misgovernment up to this moment. Indeed, very few Irishmen were acquainted with the history of Ireland, for it was not the fashion to read that history in the Irish schools. Every successive Government admitted that Ireland had been misgoverned in past times, but added, "It is well governed now." And they *bonâ fide* believed what they stated. But the misgovernment was still going on, and Ireland was still ruled by factious proconsuls sent from this country, who were not admitted into the Cabinet. If a man had some diplomatic training at Geneva or some other place on the Continent, that education was supposed to fit him for the office of Lord Lieutenant, or for that of Chief Secretary. But diplomatists, when they attempted to become statesmen, turned out to be political attorneys. They might do very good service in some other capacity, but they were not fitted to govern Ireland, and were seldom selected as Ministers for this country. The result was that the people of Ireland did not look to that House at all, nor very much to their own representatives either. If he should go to the county Cork in the recess and offer to give his constituents an account of what had been doing in Parliament, they would intimate that they did not want to know anything about it. The right hon. Gentleman the President of the Board of Trade, who would make the Cabinet Liberal if he could—but he was an exception in the Government, and had been called the "fly in amber"—was reported to have stated to his constituents that, upon the party division towards the close of last Session, the Catholic votes had reduced the Government majority from sixty-five to eighteen; and to have maintained that the combination effected between the Ultramontane Catholics and the Conservatives was not one which ought to govern this country, or which could promote the cause of civil and religious liberty; also that the Roman Catholics had nothing to gain by such an alliance, as it was not to the Conservative party that they owed their emancipation. The only reply he had to make to this statement was, that the reports which had been industriously circulated on that occasion by myrmidons of the Government, with reference to the motives which had influenced the Irish Catholic Members, were simply untrue. He had scorned at the time to contradict any such falsehoods, and he was sure that the persons who circulated them, even if they did not know them to be false, had no proof of their being true. The Government had not lost any votes by the promulgation of these untruths, but had been gainers by them. If it had been a question of confidence in the Government, he asked how Reformers could have supported the existing occupants of the Treasury benches. The hon. Member for Birmingham and his friends knew that they had only to say to the Government that their support was conditional upon Reform in order to carry Reform measures through the House, and that the Irish Members would vote with them on such questions; but the so-called English Reformers had sacrificed Reform, and everything connected with progress, in order to keep this Government in office—or rather to keep another Government out; whereas they knew that if a Tory Government came into office the Whigs would soon return to office again with a determination to carry out what was required. He thought that when bringing up the Address the Government ought to modify the passage in Her Majesty's Speech he had referred to, and if they refused to do so he should be disposed to move its omission. He saw in the remainder of the Speech a promise of some useful measures, which if passed would be for the benefit of the country; and he trusted that they, and especially any Irish measures of public utility, would be brought on early in the Session.

MR. BRADY said, he had never read a paragraph which it was less easy to understand than the paragraph of the Speech relating to Ireland, which stated that Ireland during the past year had had its share in the advantages of a good harvest. Such a paragraph would have appeared much more appropriately in *Punch* than in the Speech from the Throne. That paragraph would create great discontent throughout Ireland, as the people would thereby see that they had little to expect from the Government. The country was not suffering from one but a number of consecutive bad harvests, and a strong feeling of discontent arose from the fact that the Government would not give to the people that to which they were entitled; a better security in the tenure of their land. In consequence of this want of security, great numbers had emigrated for the purpose of fighting the battles of the Northern States. The people would do anything rather than remain at home, in consequence of knowing that they did not obtain that remuneration which they ought to receive from their industry and labour. The small farmers of Ireland built their own houses, drained their own land, and supplied their own labour. In England these improvements were effected partly at the expense of the landlord, and partly at the expense of the tenant. He had read with great satisfaction the remarks recently made by the hon. Member for North Warwickshire (Mr. Newdegate), on the subject of tenant-right; and was convinced that unless something was done for the tenantry of this country as well as that of Ireland considerable discontent, if not distress, would follow as a necessary result. The people of Ireland were now suffering, as they had suffered for centuries, and it was a well-known fact, that if the population now amounted to 8,000,000 or 9,000,000, as it did thirty years ago, instead of being under 6,000,000, the people would be in a state of starvation. Those who remained at home were in a very reduced condition, and those who emigrated carried with them, and cherished in foreign lands, a feeling of hostility, not towards their country, but towards the Government which had overlooked or disregarded their sufferings and their wrongs. Was not that a matter which should have been taken into consideration by the Ministry in framing Her Majesty's Speech? In a speech delivered the other day by the future Colleague of the hon. Member for Brighton, Professor Fawcett, that gentleman stated that there was not a class of men in any community who, after leaving their own country and obtaining employment elsewhere, could be compared with the people of Ireland for their industry, perseverance, and easy management. That opinion, expressed by a Professor of Cambridge, was corroborated by the opinion of a Professor of Oxford, Mr. Goldwin Smith, who had pointed out the advantages which

America had derived from Irish emigration, stating that the Americans ought to look on the Irish people as great benefactors. He (Mr. Brady) complained of the conduct of the Government in passing over the land question, which was the real cause of the calamities of the people of Ireland. Why should they pass over the land question, a question deeply interesting to the people of Ireland, and congratulate them upon the excellent harvest with which they, the Government, had nothing to do? Reference had been made to India; but the inhabitants of that country were discontented, and another rebellion might take place unless a better system of management was pursued. They, the people of India, ought to have fixity of tenure and better security for the labour which they bestowed on the land; should they not obtain proper security, no man, having the feelings of a man, would say that they ought not to be discontented. In conclusion, he wished to express a hope that the paragraph would be expunged, and one would be inserted calculated to give hope and confidence to Ireland.

MR. HENRY SEYMOUR said, that he had to complain of several omissions in Her Majesty's Speech. He deeply regretted that, in the last Session of this Parliament, the Government were about to make no effort to redeem the pledges which they gave on their accession to office. Six years ago they overturned the Government of Lord Derby on the question of Reform. It was true that a Bill was brought in by the then Lord John Russell; but it was introduced with so much lukewarmness, and was so almost entirely unsupported by the Members of the Government, that at last, upon the Motion of an hon. Gentleman who had that day ceased to be a Member of the House, it was postponed. Hon. Gentlemen opposite went to the hustings pledged to that Reform Bill. They would shortly have to meet their constituents again, and what answers would they have to give when questioned upon this subject? What opportunity could be better suited to the introduction of a Reform Bill than a quiet time like the present, when we had at the head of the Government a statesman of such experiencé and ability as the noble Lord? Pledged as the Opposition itself was to some reform, he believed that a great opportunity had been lost for carrying such a measure as he, as a moderate Reformer, should like to see passed, for he somewhat differed from the hon. Member for Birmingham (Mr. Bright) on that point. We know not how long the present period of tranquillity may continue. He was sorry that the time had passed when a moderate Reform Bill might have become the law of the land. The opportunity had been lost, and an election would shortly take place. The probability was that a Reform Bill would then be introduced, but no one could say under what auspices. If a Reform Bill should then pass a new election would be necessary, and it should not be forgotten that each election cost somewhere about £2,000,000. But that was taking a low view of the subject. His astonishment at the absence from the Royal Speech of any mention of Reform was increased by the remembrance of the remarkable speech upon the subject which was delivered last year by the right hon. Gentleman the Chancellor of the Exchequer; because he could not for a moment believe that his right hon. Friend would make such a speech merely for the sake of gaining popularity, or without thoroughly meaning every word that he said. He (Mr. Henry Seymour) owned that he did not understand the position of the right hon. Gentleman now that no Reform Bill was proposed by the Cabinet; and he felt certain that if the eloquent speech to which he had referred had been delivered four years ago the fate of the measure then before the House would have been very different from what it was. If, however, there was to be no Reform Bill, the Government ought to devote the present period of tranquillity to the carrying out of other domestic reforms; but he saw no signs of any such measures in the meagre programme which had been laid before the House. The Ministry of Education was in a most anomalous position. Nominally the head of that Department was the President of the Council, but last year the Vice President was turned out of his post because of the unsatisfactory conduct of the Department. The time had arrived when the Education Department, like that of Trade, ought to be separated from the Privy Council and placed under a President of Education who should be responsible for the estimates and for the conduct of the Department. At present that responsibility was divided, and no one knew where to look for it. Under the high officer whom he should like to see appointed ought to be placed the control of our highest educational institutions, such as the British Museum and the South Kensington Museum, upon which the country annually lavished large sums, which were spent in a most unsatisfactory manner. There was another subject which was touched upon in the Royal Speech—he alluded to the state of Ireland, and he could not in alluding to it help saying that he regarded the condition of that country as a disgrace to England as a civilized nation. Ireland had of late years been decreasing in wealth and population and increasing in discontent, and what was the remedy for such a position of affairs suggested by the Government? Why, that the whole Catholic population should leave the island. For his own part, the time had now arrived, he thought, for carrying out the policy of Pitt and completing the union between the two countries by the abolition of the office of Lord Lieutenant. If that step were followed by other measures in reference to education and matters of similar importance, that thorough amalgamation of the two countries which was so desirable, and which had been begun more than half a century ago, might be affected. But there was another topic on which a paragraph had been vouchsafed in the Royal Speech, and to which he wished briefly to refer. The House was informed that India was tranquil, and it was also the fact that an important office in that country had been lately filled by the appointment of Mr. Massey to the post of Finance Minister. He believed, however, that Mr. Massey, for whose character and great abilities he had the highest respect, had never directed his attention to the particular business of the department over which he was going to preside; and to send out a man to administer an office who must spend at least two or three years in making himself conversant with the duties which he would have to perform was, he could not help thinking, a waste of precious time which India could ill afford. He would further observe, that it was currently reported that a large deficit was expected in the Indian finances this year; and how, he should like to know, would the case stand if there should be a reconciliation between the Northern and Southern States of America, if this country were flooded with American cotton, and if Indian cotton, as a consequence, became depreciated in price? He had long differed from the policy which had been pursued by his right hon. Friend the Secretary of State for India in that portion of Her Majesty's dominions; and the time was, he thought, fast approaching when his opposition to it would be acknowledged to have been based on good grounds. If he read aright the speeches of the hon. Member for Manchester, he learned from them that the quality of Indian cotton was not at all improved, and that the condition in which it was sent to our markets now was as bad as before the American war broke out. Now why, he should like to know, was that the case? He maintained that it was because of the poverty of the ryots in India, and the want of a superior class of agriculturists to cultivate the plant; nor could that state of things be remedied so long as agriculture was starved. Now, how came it to pass that such was the position in which agriculture in India was placed? It was owing to the refusal of the Secretary of State for India to alter the tenure of the soil, so that the large amount of capital which was accumulated was not laid out in agricultural improvement. Would any hon. Member whom he addressed, he would ask, erect farm buildings on land, held under the Government on a thirty years' tenure, and with no certainty that his rent might not at the expiration of that period be increased to any amount the Government might please to name? Could money be borrowed on land in England, if the Government happened to have a rent-charge on it of 30 or 40 per cent? Fabulous accounts had reached us of the wealth which had recently been accumulated in Bombay, where silver was used by some of the natives in making tires for the wheels of their chariots and where bubble companies were springing up in every direction. Nothing, however, was heard of the application of capital to the soil, which was at the root of the improvement of the quality of the cotton produced. The consequence would be, as he had said before, a fall in the value of Indian cotton whenever the American war ceased, and a consequent increased deficit. He had made these observations because he had deemed it to be his duty, as a liberal Member of Parliament, to speak out his mind, and to express his regret that they who were called the party of progress should, while they refused to alter the qualifications of the electoral body, also hesitate to carry out other important social reforms. Unfortunately, as things at present stood, we had one portion of our Ministers opposed to all ecclesiastical reform, another to all electoral reform, while the Radicals in the Ministry were quite content with the honour of being sleeping partners. There was a party in America called the "Know Nothings," and the great Liberal party in that House might, he thought, very appropriately be called the "Do Nothings." He should wish to see the stigma implied in such an appellation removed from them, so that they might when they went to the hustings be able to point to work really done, instead of relying on the unmeaning cry of "Palmerston for ever! No politics and no principles!"

Mr. R. LONG said, he did not rise for the purpose of offering any special criticism on the speeches of the hon. Baronet who moved, and the hon. and gallant Member who seconded the Address, for in some of their remarks he was sure both sides of the House would concur, more especially in the hope expressed by the gallant Member for the Montgomeryshire Burghs, that ere long Her Most Gracious Majesty might again gladden by her presence the hearts of her subjects on those occasions on which her presence added so much to the solemnity of the ceremonial. He was, however, not at all surprised at those shortcomings on the part of his political leaders of which the hon. Member for Poole (Mr. H. Seymour) so feelingly complained. Nobody, he thought, who had studied the history of the Whig party, could have failed to perceive that there was a melancholy consistency in the line of conduct which they pursued. Their policy seemed to be based on a series of pledges loosely given and instantaneously broken. They were in the habit of raising the wind in any way that best suited their purpose, and filling their sails with what some of the right hon. Gentlemen on the Treasury Bench termed the spirit of the age, and then leaving it to others to fulfil the promises which they had made, forgetting "reform," "economy," "retrenchment"—those big words by the use of which they had won their way to place. Indeed, it often occurred to him that a good description of a Whig in office was "an ugly dog well muzzled." But there were other causes of complaint than those which had been urged against them by the hon. Member for Poole (Mr. Henry Seymour). The agricultural constituencies might, he thought, very fairly feel somewhat indignant that no notice was taken in the Speech of the difficulties against which they had so long struggled, and that no allusion was made to a subject which now attracted so much of public notice—he meant the abolition of the malt tax. He was not going at present to enter upon that question, because it would be brought before them shortly in a definite form. He believed that one of the best measures which could be passed for agriculturists would be one giving to large tenant-farmers a control over the local taxation of their counties. But, passing from that point, he wished to say a few words on the subject of Ireland. He was not, he must confess, surprised that the hon. Member for Cork (Mr. Scully) should have taken exception to the way in which that country had been mentioned by Her Majesty's Ministers. He (Mr. R. Long) had spent last winter in Ireland with the view of making himself acquainted with its position, and ascertaining how it came to pass that, while England was basking in the sunshine of prosperity, the Irish people should be in a state of the most appalling destitution. He felt so horrified at the state of the country that he was unable adequately to express his indignation. People among the noblest on God's earth had been so reduced and degraded, he believed in his conscience, by English legislation; and, if legislation were answerable for these results, it must be remembered that for thirty years it had been in the hands of hon. Gentlemen opposite. As an English country Gentleman, he felt ashamed of things as they were; he wished he could change them, but he must wash his hands of any responsibility for bringing them about. Every man of common sense, whatever his creed or political opinions, on spending a short time in Ireland, must see that absenteeism was the curse of the country, and that all possible measures ought to be adopted to remove it. If hon. Members believed that penal legislation would be effectual in working a cure, he should be prepared to vote for penal legislation. [*A laugh.*] He agreed with hon. Gentlemen who laughed—he did not believe that penal legislation would be the best mode. There were two methods of treatment —the cold wind and the warm sun. For his part, he preferred the warm sun. The other day there had been the finest opportunity of giving a severe blow to the absentee system, and Government should have availed themselves of it; not to abolish the Lord Lieutenancy, as one hon. Gentleman had suggested, but to absorb the Lord Lieutenancy in Royalty itself by sending over the Prince of Wales. [*Laughter.*] He did not see anything to laugh at in the proposition that a member of the Royal Family should take up his residence in Ireland for two or three months in every year. How did the House suppose that loyalty was kept alive in the hearts of a nation? This much he ventured to declare—that if the residences of Royalty in England were as infrequent as they were in Ireland, England would be the most disloyal country on the face of the earth. Notice had been given by an hon. Member of his intention to discuss the condition of Ireland at length, and therefore he (Mr. R. Long) should not attempt to do so on the present occasion. It was only his warm love for the country and close connection with it that emboldened him to offer, what he should not otherwise think of doing, the experience gained by a few months' residence in that country. He would support any measure, come from what side of the House it might, that would benefit Ireland. He did not care whether an Ultramontane or a Protestant proposed it. He would support any proposal that would benefit that sadly debased people—debased, he meant, by the effects of legislation, and not in any other sense. But such measures must be well considered; they must not be confined to careering over the country, making Protestant speeches at Enniskillen, or declaring that a Minister of the Crown did "not care three rows of pins for Dr. Cullen." What Ireland wanted was a government strong enough to be just, and just enough to be strong. Had the right hon. Baronet (Sir Robert Peel) shown that he really did not fear Dr. Cullen and his party, by upholding in Dublin the Party Emblems Act, which the Government were so fond of enforcing in Belfast? Had he refused to allow Dublin to be given up to a mob, the worst and wildest in that city, he should have felt much more confidence in the right hon. Baronet's administration as Chief Secretary, in his professions of desire to benefit Ireland, and in his regard for the supremacy of English law, and desire that the laws should be impartially administered. He had not any great hope that by a Whig Government much would be done for Ireland. The noble Lord at the head of the Government had been something like fifty years in office, and what had been ever done for Ireland? What might be accomplished by the side of the House opposed to his Government were it in power was a different question, yet to be solved. He (Mr. R. Long) had declared his readiness to accept any measure beneficial to Ireland, come from what part of the House it might; but he hoped this would not be construed into any recommendation or recognition of the alliance which was said to exist between the Conservative leaders and the Ultramontane party. If he wished to give advice utterly destructive of the hopes of that party ever to govern the country, he should counsel them to lend themselves to the scheme of an Ultramontane alliance. But in the particular object of which he was now speaking, there was room enough for all; and being from his position utterly removed from the suspicion of wishing to make political capital in Ireland, he renewed his declaration that a project, come from where it might, to benefit that country should have his warmest support.

Mr. SCOURFIELD said, he trusted that the statement in the Royal Speech that the Estimates had been framed with a due regard to the efficiency of the public service, as well as economically, would turn out to be quite accurate; because he was afraid that in the run for popularity, which would shortly come between the two parties, the efficiency of the public service might be sacrificed to economical views, and a desire unduly to remit taxation. He was induced to say this, because recently important national works in the shape of fortifications at Milford Haven had been stopped, and much disappointment was felt at the withdrawal of the military force in that quarter. He did not mean to criticise military arrangements, but he thought a great mistake would be committed if Volunteers, instead of being considered as an addition to our military force, were regarded as a substitute for it.

Mr. MAGUIRE said, he could not agree with that portion of Her Majesty's Speech which included Ireland in its description of the general prosperity of the kingdom. He had always been foremost in urging upon his countrymen the duty and necessity of self-reliance; for he was convinced that, whatever Government might do, nothing effectual could be done for the salvation of Ireland unless Irishmen depended on themselves. But it was idle for Government officials and pamphleteers to taunt Irishmen with want of self-reliance, and to assume that Government had no responsibility whatever in the matter. While he put a large share of the responsibility on the natural leaders of the people, he did assert that a larger share belonged to the Government, and one from which the Government could not escape. Governments, whether Whig or Tory, were too much inclined to go into partnership with Providence in these matters. If harvests were favourable and abundant, the Ministry took credit for good government, and the consequent contentment of the people. If the harvest were bad and deficient, the favourite course, apparently, was to deny the fact. For three years he had ineffectually struggled to get the Chief Secretary to admit the existence of distress in Ireland. The hon. Member for Poole (Mr. Henry Seymour) had asked a question which was most pregnant with regard to India, but was equally so with respect to Ireland. "What," said the hon. Gentleman, "will the ryots be induced to build farm-houses and make farm improvements with leases of only thirty years, and those leases held under the Government? Not at all, because they will be afraid that the Government will raise the rent at the end of thirty years." But what was the condition of the ryots of Ireland? Had they leases for thirty years? Why, nine-tenths of the tenant-farmers of Ireland, who were the ryots in this part of the world, had no leases at all, and there was no law unless one so niggard and vexatious that they could not put that faith in it that would induce them to make improvements, or compensate them if those improvements were stolen from them. The hon. Member for Chippenham (Mr. Long) stated that he had been alarmed and horrified at the condition of Ireland. If an Irish Member had used that language it would be said that he had exaggerated the state of the case. He must, however, remark that the cause of the misery which was going on in Ireland was not traceable to the violation of the Party Emblems Act, it was not traceable to religious differences, or to non-residence of a member of the Royal Family; but it was traceable to the want of large, liberal, and generous laws, which would stimulate the energies of the people, and give them such a hope in the prosperity of their country that the attractions of America would gradually fade from the national vision. During the last year 120,000 people had crossed the ocean from

Ireland to a country in which trade was bad, commerce interrupted, and war raging, and all that notwithstanding the diminution of the Irish population. Now, did not that fact show the existence of something wrong which the Government ought to endeavour to remove? If the Government, if not in this at least in the next Parliament, took up this matter they would have the power to save the country and stop the tide of emigration, which was carrying away not merely the bone and sinew of Ireland, but a great deal of the strength and power of the Empire. He knew a case in which the whole side of a county had been in the hands of two proprietors who gave neither leases nor encouragement, and on one estate the habit was to keep the tenants in constant terror of notice to quit. Fortunately those estates were purchased by persons of a different mind, who gave liberal leases, and in one month after the leases were signed money which was never thought to exist began to show itself in improvements. One of the tenants fell ill and sent for the doctor from Skibbereen. "Oh, doctor," said he, "'twas that cousin of yours in Cork that destroyed me. When I was tenant of Mr. So-and-So and had no lease I did not care much what became of the land. But when we got leases for ninety-nine years from your cousin, the new agent, all the tenants fell to work, and I was up to my middle in water trying to drain the lands, and so I caught the rheumatism. 'Tis your cousin I blame for it all." He (Mr. Maguire) spoke with the full weight of responsibility. In his own city he had been intrusted with the preservation of the peace for three years, and had done his best to set an example. But if it were the last time that he was to stand on the floor of that House he would raise his warning voice in no exaggerated words, but solemnly and sincerely; and declare, on the authority of those who felt the pulse of the people of Ireland, that there was such discontent and dissatisfaction in that country that nothing but just laws could turn the hearts of the people towards the Government. The Lord Lieutenant of Ireland deplored the other day that the people were leaving the country and carrying with them to another land a feeling of hostility towards England. He (Mr. Maguire) saw before him the man who before long would lead the great Liberal party, and he appealed to him and to those on the other (the Ministerial) side of the House not to shirk this question. The interests of India were important, but the interests of Ireland were more important still. The Lord Lieutenant had spoken rightly when he said that the feelings which the Irish people carried across the Atlantic would influence the policy of American statesmen. The number of Irishmen by descent or birth in the Northern and Southern States of America was equal to the entire population of Ireland; and, energetic as they were, and animated by a hatred of England, into what calamities might they not be the means of precipitating the two countries? Now he, as a man wishing for the prosperity of his own country, and that no hostile foot might ever stand upon its soil, was anxious that the statesmen of England should look a little nearer, and, without troubling themselves so much about disorders abroad, try to heal the sore which was in the very bosom and heart of the Empire. Let not the hon. Member for Chippenham (Mr. R. Long) believe that the visit of Her Majesty, welcome as that would be, would heal the wounds of Ireland. That would be merely applying a bit of Court plaister over a deep ulcer. The people would be glad to see Her Majesty, but, starving as many of them were, and hopeless of improvement, they did not want the mere sunshine of Royalty or the glitter of courtly pageantry. What they did want was just laws. Let the House give them just laws that would liberate the arms of the people, and give them a field for their exertion.

MR. R. LONG explained that he had adverted to absenteeism as the worst evil in the social condition of Ireland, and that he regarded the occasional residence of a member of the Royal Family in that country as a means of correcting that evil.

SIR ROBERT PEEL: There can be no doubt, Sir, that the question which has been raised by the hon. Member for Dungarvan (Mr. Maguire) requires more lengthened consideration than it can receive on the present occasion. I was very much struck by an observation which fell from my hon. Friend the Member for Cork (Mr. Scully), that English Members knew very little about Ireland; and, after listening to the speeches of the hon. Member for Chippenham (Mr. R. Long), and the hon. Member for Poole (Mr. H. Seymour), the observation was still more forcibly impressed upon my mind. The hon. Member for

Poole may or may not have been in Ireland, but he proclaimed that the Government of that country was the worst of any civilized nation on the face of the earth, clearly indicating that he can know nothing of the Government of that country. As regards the observations of the hon. Member for Chippenham, I should be sorry to accept the picture drawn by him. I believe he limited his vision to the confines of the county of Wicklow. [Mr. R. LONG: No, no!] Well, then, he visited other parts of Ireland, and he said that the condition of the country was most appalling. The hon. Member for Dungarvan refused to give his adhesion to that statement.

MR. MAGUIRE said, he must beg to explain. He had simply said, that if an Irish Member had indulged in language of the same description he would have been charged with exaggeration.

SIR ROBERT PEEL: The hon. Member for Chippenham stated to this House that the Irish people were a debased and mutilated people. I ask whether that is not language which the hon. Member for Dungarvan would repudiate as exaggeration. What were the remarks that fell from the hon. Member for Chippenham, this new champion of Irish nationality? He said that the state of Ireland was a disgrace to the world, and that for the last thirty years the party represented by the present Government have had the administration of the country, and that all the laws have emanated from them. But the hon. Member, and those who sit on the same side of the House, have had the opportunity of suggesting legislation for Ireland. Why did they not do so? What does the hon. Member propose? He says that the remedy for the state of things in Ireland is not to have the Lord Lieutenant there, but to pass penal laws against absenteeism, and force the Prince of Wales to live there. I put it to the House whether, if the state of Ireland is such as the hon. Gentleman describes, the presence of the Prince of Wales can be in any degree serviceable. It would be more like condemning him to transportation and penal servitude. I am prepared in any debate which may take place not only to vindicate the conduct of the Government, but to show that the condition of the country has greatly improved. The hon. Member for Cork (Mr. Scully) found fault with the Speech from the Throne. He said it would have been better not to have alluded to Ireland at all, and declared that it was a provocation to allude to the gleam of sunshine and hope now visible in that country. But, observe the difficult position in which the Government are placed. I recollect that in 1860 no allusion was made to Ireland in the Queen's Speech, and then it was said that Ireland ought to have been mentioned. And now, when we do allude to Ireland and its improved condition, we are told that it is a provocation which ought not to have been given. I maintain that there is an evident improvement in the enterprise and the condition of the people, and that the Government are, therefore, perfectly justified in referring to the advantage Ireland has derived from her share in the good harvest, and to the extension of her trade and manufactures. I believe that the statement made by the hon. Member for Dungarvan as to the numbers who have left Ireland during the past year is not exactly correct. No doubt emigration still continues to a large extent. The hon. Member, however, said that 120,000 persons had left the Irish shores since the last year. Now, the statistics show that there has been a diminution of emigration in 1864 as compared with 1863. In 1862 there were about 70,000 emigrants; in 1863, 117,000; while last year, 1864, the number was only 114,000, showing a diminution, although a small one, in the number of persons leaving the country. It would, however, be wrong to suppose that the population of Ireland has been diminishing in proportion to the numbers who have left it. Since the Census of 1861, up to the present date, more than 350,000 persons have undoubtedly left the soil of Ireland with the intention of not returning to it. According to the latest statistics, however, the population of Ireland has diminished by only 128,000, the difference being due to the increase of births over deaths. The hon. Member for Dungarvan referred to the wide-spread distress that existed in Ireland, but the information we receive does not bear out that statement. The only district in Ireland in which distress can be said to have existed during the last three months has been the county of Galway. There have been, no doubt, much pressure, suffering, and want of employment there on the part of the poor; but the inhabitants have contributed funds and have provided employment for 300 or 400 persons on public works. It is worthy of observation, that although the Union workhouse of Galway provides accommodation for more than 1,000 persons, yet, according to the last Return, there were only 520 persons in the house, and on the 14th of January there were only five persons in receipt of outdoor relief. This does not indicate so gloomy a state of things as some are inclined to suppose; and I trust it will be found before long that this partial distress has been relieved. There has been a vast improvement in the returns of agricultural produce in Ireland during the last year. It is an undoubted fact that Ireland has passed through three very serious and distressing years, but last year was one of improvement and promise. There has recently been a movement in Ireland to which the Government have given a considerable impetus. During the past year the occupiers of land have been urged to sow their ground with flax, and what has been the result? Nearly 100,000 more acres have been under flax cultivation than in the year previous. During the past year there have been over 300,000 acres under the flax crop. Let me put the value of that to the House in three sentences. In Ireland the flax is worth about 7*s.* 6*d.* per stone, so that the intrinsic value of 300,000 acres of that crop when brought to market is over £4,000,000. I ask the hon. Gentleman who drew so pathetic a picture of the state of the country whether this is not an indication of the advancing prosperity of Ireland? Then there is a large number of people employed in the manufacture of linen, and a large number also engaged at worsted work. I contend, therefore, that, apart from this distress in Galway, I am justified in saying that the condition of Ireland is one of improvement. Look at the returns for the various ports—Dublin, Cork, Belfast, and Londonderry, and they afford evidence of this improvement. I will not enter into details on the subject this evening, because I shall have an opportunity of doing so on an early occasion; but referring to a speech recently made by the right hon. Gentleman the Member for Limerick (Mr. Monsell), and directing the attention of hon. Members to that speech, I may be permitted to say that I should prefer to rely on the opinion of that right hon. Gentleman as to the increasing prosperity and hopefulness of the condition of Ireland, rather than on the views entertained either by my hon. Friend the Member for Poole, or the hon. Gentleman the Member for Chippenham. I am convinced that there is a spirit of enterprise now becoming manifest in Ireland; that there is an improved feeling as regards what may be effected for the country, which justifies our best hopes for the future; and I only hope that, during the present year, we may see the prospects of the past year even improving, and that after the three years' suffering which she has just undergone, Ireland may arrive at that position to which certainly she was advancing before the date of those disastrous years.

LORD FERMOY said, he did not at all agree with the hon. Member for Poole (Mr. H. Seymour) in thinking that the last Session of a Parliament was the proper time for Her Majesty's Government to bring in a Reform Bill. In common with hon. Gentlemen who had spoken in support of the Government, he deplored the fact that the Government and the House had not at an earlier period of the existence of the present Parliament grappled with the question of Reform. There had, indeed, been many other important questions to consider, and the country also had been apathetic:—but if the question were mooted just when Parliament was about to be dissolved it would be dropped, as it had been dropped before. He should much prefer a measure being deliberately brought forward after the question had been fully discussed at the hustings. To introduce a measure now would lay the House open to a charge of insincerity on the part of those constituents who were about to be appealed to. Some very able and also some very singular speeches had been made that night on the subject of Ireland, which showed the growing interest with which the affairs of that country were regarded. The speech of the hon. Member for Chippenham (Mr. Long) did as much credit to his head as it did to his heart. But on this question of Ireland, he (Lord Fermoy) regretted that the Speech from the Throne (which was said always to be made up piecemeal by respective Cabinet Ministers) should contain exaggerations as to the state of that country. It was going beyond the fact to state there had been a really good harvest in Ireland. He felt quite assured that the paragraph as to Ireland had not been furnished by the very able and intelligent nobleman who had recently gone over to Ireland as Lord Lieutenant, for his Excellency was applying his able and practical mind to plumb the state of the country; and no one who had any means of knowing the exact truth would state that the last harvest in Ireland, looking at it as a whole, was a good one, or that the country itself was in a state of anything like prosperity. There had previously been three very bad harvests, three of the worst ever seen in Ireland, and, as compared with those, the last might be called a good one; but, taken by itself, it was not more than an average one. The wheat crop was only about two-thirds of an average one, while the price, which had formerly been as much as 30*s.* and 35*s.* per sack of twenty stone, was only 21*s.* As to oats, there had never at any time been so bad a crop as that cut last harvest. Barley was an average crop, but the price was low. Turnips, now an important portion of the Irish harvest, was next to a total failure; there was not anything like the third of an average crop. The people could not have borne up against the shortcomings of the other kinds of produce, only the potatoes were a good crop. For milk and butter, especially butter, very high prices had been got; but, on the whole, the harvest was not more than an average one. Except for that, there would be no sign of prosperity among the agriculturists of Ireland. Reference had been made to the west of Ireland, and to Galway especially, with which he was well acquainted, although he was not connected with it by any ties of property. He thought the right hon. Baronet dealt in too off-hand a manner with the question of distress in Galway. At this moment he believed the distress there was positively appalling, and there was very small means of meeting it. Statistics were very good in moderation, but they were apt to mislead when applied without a practical knowledge of the country. His right hon. Friend argued that the distress could not be very great, because there were only six people on outdoor relief in Galway town. He denied that that was any criterion of the destitution. The circumstances of the place were peculiar. It had no commerce, and a large number of the inhabitants were dependent on fishing for a precarious livelihood. Now, at this moment, as he was informed, the poor rate in that unfortunate town was no less than 11*s.* in the pound—an amount of taxation which was palpably ruinous. Surely, then, this was peculiarly a case in which the Government ought to interfere, in a moderate way, to relieve the distress. A small sum expended on public works would be of great service, and he understood that both the Custom House and barracks were falling into decay and needed repairs. Let the helpless people be set to work to repair them. The Chief Secretary for Ireland attached great importance to the increase in the cultivation of flax in Ireland. Now he (Lord Fermoy) believed the only part of Ireland in which prosperity was to be found was the North, in which manufactures were united with agriculture. The establishment of the flax manufacture had undoubtedly contributed to the prosperity of the North; but that prosperity had been the growth of years, arising from the people having become familiarized with the flax manufacture. It would be futile and useless for statesmen to suppose that the present distress could be alleviated by the introduction of the flax cultivation to other parts of Ireland. Prosperity arising from such cultivation could only be the work of time, and their children were more likely to witness it than themselves. With respect to the granting of ninety-nine years' leases, here again he thought the right hon. Baronet had been too sanguine, because it would take a long time to induce the majority of the Irish landlords to accede to such a proposal, and distress, so far as alleviation from this source was concerned, would continue in the meantime. The real method of making Ireland prosperous would be by uniting manufactures with agriculture. There were other subsidiary means of helping the struggling poor of Ireland, and he thought the Irish railway companies whose lines ran between Dublin and the south and Galway would do well to imitate the practice of other companies, and make concessions as to the back carriage of empty boxes. This would be a great impetus to the fish and provision trades, where the dealers could not afford such expenses.

SIR FRANCIS CROSSLEY differed altogether from some of the opinions expressed both by the noble Lord who had just sat down and the hon. Member for Dungarvan, when they said that the prosperity of Ireland could only be promoted by extending the manufactures of the north to every other part of the country. He said that that was impossible. We found that the manufactures in England were more or less concentrated in the north, as they were also in Ireland.

Manufactures were of slow growth, and required a long time to establish themselves. He was glad to find that Ireland had taken so good a position as regarded her linen trade, and he had no doubt that as long as they persevered in that manufacture they would succeed. If the prosperity of Ireland were to be postponed until the manufactures of the north were disseminated throughout the south, the east, and the west of that country, then they would never see her prosperous. He had listened with attention to the hon. Member for Dungarvan, but had not been able to get at what the hon. Member was driving at. The hon. Member complained of the bad harvest, and consequent distress in Ireland. The hon. Member had called upon the House to do justice to Ireland; but the hon. Gentleman had altogether failed to inform them in what way they had done injustice to his country. If that were stated, then there could be an attempt made to remedy it. It was useless to complain of the failure of certain crops. If the turnip crop had failed that was no reason for accusing this country. We had had also failures of crops in this country; but the English farmers did not come to the House of Commons in dry seasons and complain that Parliament did not give them rain. He must differ from the noble Lord in respect to his observation upon the subject of a new Reform Bill. He (Sir Francis Crossley) thought it much better to deal with the question in the present Session than to postpone it until the election of a new Parliament; because we know how reluctant Members were to vote for Reform when they knew that the result of such a measure would be to send them back to their constituents. He therefore thought that the question could be considered with the greatest advantage in the present Session, when there was no foreign question of any great moment to occupy their minds. The working man wanted a share in the representation of the country, and he would never rest satisfied until that right was conceded to him, nor ought he to be.

MR. KINGLAKE said, the Government had, since the prorogation of Parliament, taken a step which was of very considerable importance, more especially in as far as it touched our friendly relations with the Government of Washington. It would be remembered, that on the last day of the Session he had the honour of submitting to the House some considerations on the subject of the then proposed recognition of the Imperial Government of Mexico; and, in answer to his representations, the noble Lord (Viscount Palmerston) was so good as to make a statement which was worded with that precision which hardly ever deserted him. He spoke, he believed, with an accurate recollection of the words. The noble Lord said—

> "If we find matters still uncertain and a war going on which may result one way or the other, we should say that is not a state of things which would justify us in recognising the Archduke of Austria as the Emperor of Mexico."

That was the assurance which the noble Lord gave to the House in the month of July. A very few months afterwards, Her Majesty's Government did propose to recognise the Archduke of Austria as the Emperor of Mexico. Of course, he was entitled to suppose, and he still supposed, that Her Majesty's Government must have had information which in their view justified them in taking such a step consistently with the assurance which they had given to the House. But he observed that, shortly after the actual recognition on the part of Her Majesty's Government, the President of the United States delivered his Message to Congress, in which he distinctly stated that the war in Mexico was still raging. Here, then, were two opposite authorities—Her Majesty's Government recognising the Archduke as if the war had virtually come to an end, while the President of the United States informed the world that the war was still going on. When they came to inquire which of these authorities was best supported by fact, he was bound to say that the current of testimony was very strong in favour of the statement made by the President of the United States. Hardly any mail came from that part of the country without bringing some narrative corroborative of it. Judging from the accounts published so lately as December 28th by an organ trusted by the noble Lord and also by the French Government—he meant the *Morning Post*—there could be no doubt the campaign was going on in the south of Mexico, and it appeared that the French had met with a very serious reverse. At Ayucha, the capital of one of the States, it appeared further that almost the whole of the southern part of Mexico was now in the hands of the natives. It was true that Monterey, where Juarez had his head quarters, was lost, and that Mazatlan also had been taken; but, on the other hand, Acapulco had been won by the Mexicans. It was of great importance that such a step as the recognition of this Government should not have been taken thoughtlessly, and he was bound to suppose that it had not been so; for the House was aware that the people of the United States had upon this subject a feeling, which he owned appeared to him to be not based on right principles, but which, nevertheless, was entertained by them with a degree of enthusiasm hardly exceeded by what they felt on the subject of the civil war, maintaining as they did the Monroe doctrine, and forming, as they seemed to have done, the determination to make all sacrifices rather than permanently allow the establishment of any European Government in the State of Mexico. Under these circumstances, he trusted the Government would be prepared to lay papers before the House showing the grounds on which, after the decided assurance given by the noble Lord, they felt themselves justified in recognising the Archduke of Austria as the Emperor of Mexico. He hoped he might express a hope that such papers were now ready to be laid on the table. Last year there had been great delay in the production of papers, but the honour of the Government required that not an hour should be lost in showing that the recognition of the Archduke as Emperor of Mexico was an act consistent with the deliberate assurance which the noble Lord had given to the House.

COLONEL SYKES, referring to that part of Her Majesty's Speech which related to Bhootan, one of the wildest regions on the face of the earth, and which was almost literally in the clouds, between Assam and Thibet, and whose chief productions were rocks and jungle, said, the outrage complained of originated in our sending a deputation there to endeavour to make an arrangement with the Government which we were not invited to make, and which that Government repudiated. Our Minister was no doubt treated with insult; but why did we go there and expose ourselves to insult? Our Government justified the maintenance of 70,000 Europeans in India to look after our Indian army, because we would not trust the Native troops with arms in their hands. These Europeans, then, with such distrust, should accompany Native troops on all services throughout India. But what was the fact? Four brigades of Native troops had gone to Bhootan, and the only Europeans were those with the Artillery. What, then, became of the argument about the necessity of having 70,000 European soldiers in India to look after the native troops, and exhausting the youthful blood and sinew of England for that purpose? With regard to the late cyclone, it was most calamitous, about 60,000 human beings having been suddenly swept into eternity in Calcutta and the neighbouring districts. But the disaster also extended to the mouth of the Kistnah, and destroyed 12,000 more persons at Masulipatam. And here he must notice the generous and openhanded way in which the native gentry of India came forward to relieve the distress arising from this calamity, and that a distress, too, not occurring in their own locality. It was a remarkable fact that in the neighbourhood of Calcutta less was contributed towards the relief of this misery than from Western India. From the gentry of Bombay, men unconnected with Calcutta by community of feeling, the most munificent donations were received. He must now warn the House as to coming events in the far East. He regretted to find there was not one word in the Speech about unhappy China, which was now in a state of almost universal anarchy, misery, and suffering, brought about by our policy, our interference, our breaches of neutrality, and our broken pledges. The anarchy existing throughout the provinces was extending also to the Council at Pekin, from the conduct of two ambitious men, Seng-ko-linsin and Tseng-kwo-fan, both of them anti-foreigners whose rivalry might jeopardise the safety of foreigners in Pekin. Then, what were we doing in Japan? It was said that we had taken the law into our own hands in consequence of the infringement of a treaty which we had concluded with the Government of Japan. But he maintained that we had not now, and never had, a treaty with the Emperor of that country, as our Government well knew. What we had was a treaty with one of the Japanese nobles, a chief named the Tycoon, who had told us officially that he had no power whatever beyond his own province, no more than a Lord Lieutenant of Middlesex had over a Lord Lieutenant of Surrey. There were 700 of these nobles in Japan. It was sought to make the English people believe that the Emperor of Japan was a mere spiritual potentate who sat constantly in his temple, and that the Tycoon was *de facto* temporal Emperor. But the Mikado was as much a temporal Emperor as the Emperor of China, who performed both civil and spiritual functions. His position was also analogous to that of the Grand Lama of Thibet, the Pope of Rome, or an ancient Roman Emperor, who was pontifex maximus as well as supreme civil ruler. This our diplomatists ought to have known, but they had chosen to make a treaty with the Tycoon at Jeddo, and they now wished to make the Mikado or real Emperor, and all the other princes of the empire, responsible for his act. Two more of our subjects, Major Baldwin and Lieutenant Bird of the 20th Foot, had just been murdered in Japan, and we must demand the punishment of the murderers. We did not get the culprits surrendered to us in the Richardson case, and if resistance were made to our next demands, the troops we now had in Japan would not suffice to enforce compliance. Another expedition would, therefore, have to be sent out to that country, at the cost of the British taxpayers. The Emperor, called the Mikado, refused to sign the treaty we had made with one of his nobles, and if he encouraged the rest of the nobles to resist us, as he was disposed to do, and of which we had proofs in the cases of the Princes Satsuma and Choshiu, they would be quite ready to aid him. He sincerely trusted, however, that affairs in Japan would not be permitted to reach the extremity to which our policy had driven them in China.

SIR CHARLES WOOD wished to correct a statement made by the gallant Colonel in respect to the injuries and insults received from the Bhootanese Government. Those injuries were not merely personal insults offered to our Envoy, but consisted of a series of outrages extending over a number of years. The Bhootanese had on different occasions made irruptions into the plains, murdered our subjects, and carried others into captivity whom they refused to release; and this state of things was not one of recent times only, but had been going on for more than twenty or thirty years past. It had, therefore, been felt necessary to check these lawless incursions. An expedition for the purpose of putting an end to such a course of intolerable conduct on the part of the Bhootanese had been projected before the mutinies, but was naturally postponed during their continuance. After India was restored to tranquillity Lord Elgin had sent a mission to Bhootan in the hope of avoiding the necessity of hostile operations, and to induce the inhabitants to desist from their perpetual border raids. Several former missions had been received there with the greatest civility, and there had been no reason to suppose that Mr. Eden would have met with the treatment that had been offered to him — namely, the grossest possible insult, very narrowly escaping with his life, and, of course, without obtaining the slightest engagement either for the restoration of our captive subjects or for the cessation of these border raids. It was, therefore, felt imperatively necessary, for the protection of our fellow-subjects, that some means should be taken to prevent the repetition of such insults and outrages. It had been proposed to send troops into the interior of Bhootan in order to exact reparation from the Government, but he had been unwilling to sanction this course, as he felt it might be difficult, if not impossible, to leave the country again, from the state of utter disorganization in which the Government was. He proposed only to occupy a line of posts on a low range of hills commanding the passes, so as to be able to prevent the incursions of the plundering parties from the upper country. The Government did not, however, hope to obtain anything from the Bhootanese Government in the shape of compensation. The papers referring to this subject would be laid before the House, which would then see that they related to a matter not of isolated insult, but to a series of injuries which had been going on for many years. With respect to the observation of the gallant Colonel as to the loss of life at Calcutta and its neighbourhood by the late cyclone, he believed the loss of life had not been more than 30,000 persons; but he was sorry to say that in addition there was a loss of 30,000 more lives in two other districts, making a total loss in the three districts of 60,000 lives—a number that he feared was not exaggerated. He, in conclusion, observed that every assistance had been rendered to the sufferers by the Government officers on the spot, and the most generous subscriptions had been promptly raised at Bombay and in other parts of India for the relief of the suffering survivors.

Motion *agreed to.*

Committee *appointed.*

Committee *appointed,*

To draw up an Address to be presented to Her Majesty upon the said Resolution:—Sir HEDWORTH WILLIAMSON, Mr. HANBURY TRACY, VISCOUNT PALMERSTON, Mr. CHANCELLOR of the EXCHEQUER, Sir GEORGE GREY, Mr. SECRETARY CARDWELL, Sir CHARLES WOOD, Mr. MILNER GIBSON, Mr. VILLIERS, Mr. ATTORNEY GENERAL, Sir ROBERT PEEL, The LORD ADVOCATE, and Mr. PEEL, or any Five of them;—To withdraw immediately.

Lords Commissioners' Speech *referred.*

House adjourned at a quarter before Nine o'clock.

HOUSE OF COMMONS,

Wednesday, February 8, 1865.

MINUTES.]—SELECT COMMITTEE — On Kitchen and Refreshment Rooms (House of Commons), *appointed.*

Ordered; Read 1°—Mortgage Debentures* [1].

COURT OF ADMIRALTY (IRELAND).

QUESTION.

MR. MAGUIRE asked the Chief Secretary for Ireland, When it is the intention of the Government to introduce the promised measure for reforming the Court of Admiralty in Ireland, and assimilating the Law in Ireland to that which exists in England?

SIR ROBERT PEEL said, the Government of Ireland had prepared a Bill for the purpose referred to founded on the Report of the Commission, and the late Attorney General for Ireland had intended to introduce it to the House. The matter was under the consideration of the Government, but owing to the recent changes in the Irish Law Officers he was at present unable to say when the measure would be introduced.

REMOVAL OF IRISH PAUPERS.

QUESTION.

MR. MAGUIRE asked the President of the Poor Law Board, Whether he will lay upon the table all Correspondence between the Poor Law Commissioners in Ireland and the Poor Law Board in London, relative to the alleged illegal removal to Ireland of Mary Moriarty and her four children, and Julia Hannan and child, by the Guardians of the Greenwich Union, as well as all Papers thereto relating? He wished also to ask, whether the attention of the right hon. Gentleman has been called to the imperfections of the Bill of which he was the author?

MR. C. P. VILLIERS said, some of the papers asked for were in the Poor Law Office, but there were other papers connected with the matter which had been sent back to the Home Office. The papers which were under the control of the Poor Law Board had been laid on the table. As to the papers that had been sent back to the Home Office, there would be no objection to produce them also.

ARTERIAL DRAINAGE (IRELAND).

QUESTION.

LORD NAAS asked the Secretary for Ireland, Whether it is his intention to introduce any measure during the present Session for the promotion and encouragement of Arterial Drainage?

SIR ROBERT PEEL said, the question was a large one. Last autumn the serious attention of the Irish Government was turned to the subject. He had yesterday received a note from the Lord Lieutenant of Ireland with reference to some communications from persons interested in land bordering on the river Shannon. It appeared to have been pressed on the attention of the Treasury by the Lord Lieutenant; but no reply had been as yet received from that quarter.

LORDS COMMISSIONERS' SPEECH—REPORT OF ADDRESS.

Lords Commissioners' Speech—Report of Address *brought up* (*Sir Hedworth Williamson*), and read.

Address read 2°.

MR. SCULLY said, he had yesterday given notice of an Amendment upon that portion of the Address which related to Ireland, because he believed it to be untrue. He was surprised that the following paragraph should have been inserted in the Royal Speech: —

> "Ireland, during the past year, has had its share in the advantage of a good harvest, and trade and manufactures are gradually extending in that part of the kingdom."

The truth of both these propositions was utterly denied, and even those who maintained them could not pretend to assert anything further than that a slight advantage had been derived by Ireland from an improvement in the last harvest, and that the extension of the trade and manufactures was so very gradual as almost to be imperceptible. At all events the paragraph was of a questionable and debatable nature, and on that ground he thought it would have been better to have omitted it from the Queen's Speech. It was calculated to mislead the public, because it leads them to suppose that Ireland was in a more prosperous condition than it really was. He had heard it openly avowed that the Chief Secretary had been personally consulted on that paragraph 8, and therefore he (Mr. Scully) presumed it was the Chief Secretary's own composition, so that he did not now believe that any advantage in the framing of the Address would have been derived, had the right hon. Baronet been a Member of the Cabinet. He (Mr. Scully) proposed to omit that paragraph, and in its stead to insert the following:—

"That this House regrets that the general condition of Ireland cannot be regarded as prosperous or satisfactory, and that multitudes of the inhabitants continue to emigrate to foreign countries, through the want of remunerative employment at home."

He threw the burden of this Amendment upon the Conservative representatives from Ireland, who, although they might be found voting with their party in England on Danish questions, went rather with the Chief Secretary on all matters concerning Ireland. He (Mr. Scully) found many of them hand and glove with the Castle at Dublin, and attending the levees and drawing-rooms of the Lord Lieutenant, where, he believed, an Irish Liberal Member had scarcely been seen during the administration of the right hon. Baronet. He remembered the time when the Irish representation in that House was in exactly the converse state from what it was now—when the Liberals possessed the majority of five-sevenths which was now possessed by the Tories. Now, we had about seventy-five Conservative representatives from Ireland and only thirty Liberals. On Irish questions the Anglo-Irish Members did not show themselves much advanced either as Liberals or Irishmen. Not one of that class took part in the debate of the previous evening on the paragraph in the Royal Speech relating to Ireland; and above others he should like to hear from the late Chief Secretary for Ireland, the noble Lord the Member for Cockermouth (Lord Naas), his opinions on the subject. The great grievance of which Ireland had to complain at the present time was the exhaustive drains upon her population and capital. He did not himself complain of over-taxation, but what he complained of was the great drain of capital out of the country, with no corresponding expenditure within it. And in order to prove his assertion he should quote a few statistics which, if incorrect, he should prefer being set right by the President of the Board of Trade, and not the right hon. Baronet the Chief Secretary for Ireland, as he well knew how that right hon. Baronet dealt with figures. He would remind the House that he had never over-stated anything within his knowledge, and in this instance he should also endeavour to keep within the mark. The Imperial taxation which was taken out of Ireland could not be stated at less than £6,000,000, though he believed it had amounted to £7,000,000 a year. Absentee rents transmitted to England he would take at a sum of £4,000,000, though he believed they were nearer £6,000,000; and that the amount had been rather improving as regarded England, or increasing as regarded Ireland, for the last thirty years. Then, Ireland paid at least £4,000,000 annually in respect of foreign imports, such as corn, wine, rum, brandy, tea, sugar, and tobacco; but he did not complain so much of that, because she got some value in return, though he would rather it was taken out in Irish manufactures. There were, however, no corresponding exports, and the £4,000,000 was paid in gold and silver. In addition, there were £3,000,000 or £4,000,000 in respect of English and Scotch manufactures imported into Ireland. Woollens, calicoes, hardware, all came from England—and spirits were introduced from Scotland. Then there was a further drain of fully £4,000,000 through the operation of Irish Banks—such as the Provincial and National—having their head offices in London. These several items would amount to £22,000,000 drained from the country annually. Then look at the emigration since the famine year. During the last three years it averaged upwards 100,000 a year; and if they valued an Irishman at half the price of an American nigger—say £100—there was another item of £10,000,000 of loss to Ireland. More than £200 was given as bounty to an Irishman, on enlisting into the American army. This item looked small and contemptible, as 100,000 Irishmen, but £10,000,000 was a large sum of money. All this made up a total annual drain exceeding £30,000,000 sterling. And what equivalents did Ireland receive for those large losses? The other day the Lord Lieutenant said the exports and imports of Ireland had increased very considerably. The Lord Lieutenant had jumbled the two things together; and doubtless he may have been right when he said that the imports and exports together had increased. If he had said that the imports had increased, that would have been true; but the exports had greatly diminished. The traffic on one of the principal railways connecting Dublin and Cork with several important inland towns, showed that the importations from Dublin and Cork were as nine to one when compared with the exports from the inland districts to the seaport towns. For every £100 worth sent to the seaports, £1,000 worth of foreign goods were received from the coast. It would probably be asked where did the money come from to pay for these things? From the sale of meat, butter, and wool. If not, where did it come from? It was suggested by an hon. Member that a large quantity of hay had been sold this year. So much the worse for Ireland. There was so much less manure to be applied to the land. The first step towards a remedy for that state of things was to govern Ireland through Irishmen. He would like to know whether the right hon. Baronet the Chief Secretary for Ireland would allow the manure to be carried away from his farms at Tamworth to neighbouring properties? He had no personal feeling against the right hon. Baronet, but he objected to his occupying his present position. Personally, he wished the right hon. Baronet every prosperity; but as regarded Ireland he would rather have his room than his company. He wished that the right hon. Baronet would make himself scarce in Ireland. He was unfit for his present position. If the country were governed through qualified men, there were several measures which might be usefully introduced for its amelioration. He did not pretend to suggest panaceas, but as palliatives he desired to see the introduction of some measure, not of a revolutionary character, but undertaken in a *bonâ fide* spirit, which should give the Irish tenant an interest in the soil upon which he expended his labour and capital on permanent improvements. The Government might also assist arterial drainage, and the reclamation of waste lands. He further wished to inquire what were the intentions of the Government with regard to the Irish railways, which at present in some respects rather obstructed than facilitated the goods traffic? There was also the question of the Established Church to be disposed of—that Church being only an insult to the majority of Irishmen; and likewise there was the iniquitous system of deporting paupers from England to Ireland. The effect of these grievances upon the minds of the people of Ireland was shown by a letter which appeared in *The Times* of December 26, 1864, stating that no less than 500,000 Irishmen in America had formed themselves into a body called Fenians, who were bound by oath to take up arms against England whenever she should be unfortunate enough to be involved in war. Such was not the feeling of English or Scotch emigrants, and he trusted measures would be taken to eradicate such sentiments from the hearts of the Irish people. The hon. Member concluded by moving his Amendment.

MR. O'REILLY seconded the Amendment.

Amendment proposed,

In paragraph 11, to leave out the words "and that Ireland during the past year has had its share in the advantages of a good Harvest, with a gradual extension of Trade and Manufactures," in order to insert the words "we regret that the general condition of Ireland cannot be regarded as prosperous or satisfactory, and that multitudes of the inhabitants continue to emigrate to foreign countries through the want of remunerative employment at home,"—(*Mr. Scully,*)

—instead thereof.

SIR ROBERT PEEL: Sir, in reply to the hon. and learned Member for Cork, I will supplement the statement I made last night by a very few remarks, for I understand the hon. and learned Member does not propose to divide. I think that the general view taken by this House last evening, after the statement which I then made, was that the paragraph in question was not altogether uncalled for. I believe, on my conscience, the statement, that the prospects of Ireland during the past year have greatly improved to be correct. The grain and potato crop was most abundant, and the hon. Member (Mr. Scully) himself admits that the grazing interest was prosperous. Now, the grazing interest in Ireland is a most prominent one. But the hon. Gentleman says that even if the statement be true, the paragraph in Her Majesty's Speech respecting Ireland is calculated to mislead. That is an Irishism I certainly do not profess to understand. The hon. Gentleman, in referring to the Irish railways, has assured the House that the traffic of the country is dearer now than it was twenty or thirty years ago; but can any one credit such a statement? Look at the immense development of the Irish railways during the last few years, the expenditure incurred in constructing them being no less than £24,000,000 sterling, nearly the whole of which has been contributed by Irish capitalists, and the traffic on these lines has largely increased. That is a proof of material progress, which no one can gainsay. On the question of drainage, I quite agree that a vast amount of damage has arisen from the overflowing of a considerable stream and its tributaries, and we are using our best endeavours to do something to alleviate the evil. Another evidence of the material prosperity of the country is the great development of property which is taking place. I am informed that more than £1,600,000 has been invested in various operations in Dublin alone within the last twelve months, and a large sum has been expended in Belfast in the erection of buildings for commercial and other purposes. [Mr. SCULLY: And Galway?] No doubt there has been great distress in Galway, as I admitted and regretted last night; but that it arose out of circumstances beyond the control of the Government, and I am glad to say the residents in the county are doing all in their power to alleviate it. Already some symptoms of improvement are perceptible. I also hold in my hand a Report, dated the 3rd of February last, which is very significant. It states that the magistrates and the cesspayers have not proposed any new works for the assistance of the poor; and therefore shows, that in the opinion of these persons, the distress is merely temporary and is decreasing, as I myself believe. As a Motion by the hon. Member for the King's County (Mr. Hennessy) involving the same question will come on before the House in a few days, I refrain from entering into details at present; but I believe I shall then be able to show that of late the prosperity of Ireland generally has vastly improved, and that the spirit of enterprise and of commerce has greatly increased. In conclusion, I must express my firm belief that, if the present year is anything like the last, we shall see Ireland assuming that position as part of this great Empire which her resources, her manufactures, and the character of her people entitle her to occupy.

MAJOR GAVIN represented a constituency (Limerick) at present suffering under great distress. He agreed with the right hon. Baronet that Ireland was endeavouring to assist herself. Flax was being grown to a great extent, and although at present there was some difficulty in conveying the produce to market, yet in a short time that inconvenience would be overcome. In his county alone there had been three times as much flax grown this year as there had been last; therefore, he had reason to hope that a gleam of prosperity was at length coming to Ireland. In the town of Limerick there was a large amount of distress attributable to want of employment, and he hoped that in the spring money would be advanced by the Government to enable them to employ the poor. This would be the last time, he trusted, that they should have to whine at the doors at Downing Street for assistance, as the Irish people must be taught, and must learn, and in fact were learning to work for themselves, and not to look to others for assistance.

MR. BRADY declined to place any faith in the report from Galway read by the right hon. Baronet, on which he founded his belief that the distress in that part was decreasing. It must be recollected that the magistrates were landed proprietors, and therefore naturally averse to increasing their own burdens to afford relief to the destitute. [Sir ROBERT PEEL: I said the magistrates and the cesspayers.] That made no difference whatever, as it was well known that the cesspayers were chosen by the landed proprietors, and were, therefore, compelled to act in accordance with their wishes. The paragraph in the Speech meant nothing, and it would have been much better to have omitted it altogether. It was true, as the right hon. Baronet said last night, that in 1860 Irish Members complained that the Royal Speech contained no reference to their country; but it was no compensation for that omission that they should now be told that Providence had sent them a good harvest. For that harvest the people of Ireland were grateful to Providence, and if the Government did something for them they would be thankful to them too.

Question put, "That the words proposed to be left out stand part of the said Address."

The House *divided*:—Ayes 67; Noes 12: Majority 55.

Sir JAMES ELPHINSTONE said, he regretted to find that Her Majesty's Speech contained no reference to the state of the public services of the country. He believed there never was a time when it was more necessary than it was at the present moment that we should place our establishments on an effective footing. We had recently created an iron-clad navy which, with the exception of some four ships, had turned out to be a complete failure; and they must all be anxious to know something of the policy of the Government with respect to that arm of the public service. Our relations with the States of North America were not in a satisfactory position; and it was a lamentable fact that if anything should occur to disturb the peace which now happily reigned between the two countries, and which, he trusted, would be maintained—should anything occur to disturb that peace, we were not in a position to defend our commerce in any part of the world. From the information he had received, he was led to believe that the Americans possessed ships not only stronger and carrying heavier guns than ours, but surpassing them in speed and in capacity for keeping the sea. He was sorry that no representative of the Admiralty was present upon this occasion; and he wished to state, that he proposed to take an early opportunity of calling the attention of the House to that point. With regard to India, he found that the Indian Minister had introduced into Her Majesty's Speech a paragraph which only faintly represented the different questions of great importance which should be attended to in that country. The cyclone was the only circumstance in the history of India to which any allusion was made; but there was nothing said about the circumstances of that calamity, or the means which it was desirable to adopt for the purpose of preventing the recurrence of such a disaster. Some thirty years ago—in May 1833, or 1834—there was a storm of the same description, and he was witness to the enormous loss of life on that occasion. Yet since that time no effort had been made, by the setting up of sea walls and dykes, to prevent the recurrence of such an accident, which might have been prevented by the erection of suitable barriers. Such a calamity not only swept away the crops and destroyed the inhabitants, but it filled the wells with salt water, and turned the most fruitful country in the world into a desert. If precautions had been taken, the harm might have been much diminished. The storm wave arrived at the mouth of the Hooghly two hours before it reached Calcutta, to which it rolled up in a wall of water fifteen feet high. He wished to call the attention of the President of the Board of Trade to the fact, that if there had been telegraphic communication established many lives might have been preserved; and if the captains had had two hours' notice they might have adopted measures which would have greatly mitigated the losses which were unfortunately sustained; and he might add his belief that if the vessels had been riding at chains tested to Admiralty proof many of those which were lost would have escaped destruction. There were other questions connected with India to which he thought reference ought to have been made. He considered that Indian accounts of revenue and expenditure ought to be presented early in the Session, so that they might undergo a proper review; and that they should always be made up to the end of the year, and then presented so as to appear concurrently with the other revenue accounts. He would also call the attention of the Government to the importance of deepening the channel between Ceylon and the continent, which would not involve a larger outlay than had been made upon many great railway works within twenty miles of London. If this were done, readier means of communication would be established between the cotton-growing districts of India and the great granaries of the country. He should take the opportunity of calling the attention of the House to these questions more fully at a future time, and would merely state further that he should support the Address.

Address *agreed to*;—to be *presented* by Privy Councillors.

Lords Commissioners' Speech,—to be taken into consideration *To-morrow*.

MORTGAGE DEBENTURES BILL.

On Motion of Lord Naas, Bill to enable certain Companies to issue Mortgage Debentures founded on Securities upon or affecting Land, and to make provision for the registration of such Mortgage Debentures and Securities, *ordered* to be brought in by Lord NAAS and Colonel GREVILLE.

Bill *presented*, and read 1° [1].

KITCHEN AND REFRESHMENT ROOMS (HOUSE OF COMMONS).

Standing Committee *appointed*, "to control the arrangements of the Kitchen and Refreshment Rooms, in the Department of the Serjeant at Arms attending this House:"—Colonel FRENCH, Mr. BENTINCK, Lord ROBERT MONTAGU, Mr. DALGLISH, Colonel WHITE, Mr. ONSLOW, and Mr. Alderman ROSE:—Three to be the quorum.—(*Colonel French.*)

House adjourned at Two o'clock.

HOUSE OF LORDS,

Thursday, February 9, 1865.

MINUTES.] — *Took the Oath* — The Bishop of Kilmore, &c.

COURT OF BANKRUPTCY.

OBSERVATIONS.

THE LORD CHANCELLOR, having laid on the table (pursuant to Act) a "General Return from the Chief Registrar of the Court of Bankruptcy for the year ending the 11th October last," said, he did not desire to provoke a discussion upon the subject of the Law of Bankruptcy or the procedure of the Bankruptcy Court at this time, because it must be fully considered when the Committee of the House of Commons had made its Report; but he would beg their Lordships' attention to a few results as exhibited in this Return, in order that, during the interval that would elapse before that Report was presented, their Lordships might have the opportunity of considering what was necessary and proper to be done in the matter. There took place during the last year 7,224 adjudications in bankruptcy. Of these, 5,260 were made on the petition of the debtor himself; 1,360 were made on the petition of debtors in prison; and only 604 on the application of the creditor. The number of cases in which dividends had been made was 1,586. The property collected and realized was only £677,536. Of that, only £533,664 were divided among the creditors; the difference, £143,872, was absorbed in the costs of collecting and dividing the £677,536. But that was not all; for to this £143,872 must be added £140,000 for the expenses of the tribunal, making a total of £283,872, expended for the purpose of dividing £533,664. He appealed to their Lordships whether this monstrous state of things should continue. There were two main features in the Bill of 1861; one of them was the establishment of trust deeds, and that had quite answered his anticipations, for during the past year the property divided under trust deeds had amounted to £3,802,000. The trust deed was a voluntary arrangement made with the creditors; and if they contrasted the amount divided under trust deeds with that divided through the instrumentality of the Court the disparity would be evident—it would be found that more than six times the amount was distributed under trust deeds than was distributed by the Court. The other object of the Bill of 1861 was the establishment of a Chief Judge, with a view to the most careful regulation and supervision of the existing subordinate tribunals. Their Lordships would judge for themselves, from this further Return, of the necessity for such a Chief Judge. It was the duty of the official assignees, who were now paid by salary, to collect and return to the Court of Bankruptcy the fees which they still received in bankruptcy. In the year 1862, the first year after the new Act came into operation, he was very much surprised to find that only £1,390 was returned. In 1863, in consequence of some inquiries which he (the Lord Chancellor) directed, the sum returned by the official assignees and messengers was £13,620; but in the year 1864, having directed a more searching inquiry, the sum that had been paid in by the assignees and messengers amounted to no less than £45,158. Of the necessity of the investigation their Lordships would judge when he stated that, with regard to one official assignee, now retired, who had become a defaulter to the amount of several thousands of pounds, he had ascertained that his account, which it was the duty of the Commissioner to audit, had been audited for years by the Usher of the Court under the direction of the Commissioner. This was a very hopeless picture of the state of the Bankruptcy Court; and when the Report of the Committee of the House of Commons was made, he trusted that he should be able to present to their Lordships a Bill that would provide some remedy for this monstrous state of things.

LIABILITIES OF SHAREHOLDERS IN IRISH RAILWAYS.

OBSERVATIONS.

THE EARL OF **BELMORE** called attention to a recent judgment in the Court of Chancery Appeal in Ireland, respecting the liability of shareholders in railways. He said it would not be necessary to mention the particulars of the case which was the subject of this judgment. The point to which he wished to direct attention was one which affected every railway company in Ireland. A local company, whose line it appeared had always been worked by a neighbouring company, having got into difficulties, was brought by the creditors last year into the Bankruptcy Court. Now, in England there was no question that a railway company could not be made bankrupt; and in the Report of a Select Committee, which sat last year, and of which his noble Friend below him (the Earl of Donoughmore) was Chairman, a recommendation was inserted that the law should be so altered as to allow the affairs of a railway company to be wound up in bankruptcy. The case having been heard in the Bankruptcy Court, the company was adjudicated bankrupt, and from this decision an appeal was brought into the Court of Appeal in Chancery. The Lord Chancellor of Ireland, in delivering judgment, confirming the decision of the Court below, said that Judge Berwick had held that a railway company was a commercial company for trading purposes under 20 & 21 *Vict.* c. 60, secs. 4 and 156, and he (the Lord Chancellor) continued—

> "They were public carriers, and by the 99th section of the Bankrupt Act, carriers by name were expressly made subject to the bankrupt laws. It had been argued that no calls could be made beyond the amount of shares, &c."

After some further observations, he went on to say —

> "As to making calls beyond the specified amount of the shares, that question was not before the court; and if the Bankrupt Court decided that those who paid their shares in full should still be made contributors, and it came back to them on appeal, they would give the best decision they could on the subject. But it appeared to him as if legislation on that point inferred that no shareholder in a railway should be liable for a single shilling above the amount of his unpaid calls. However, the case was not before them, and it was not necessary he should give an opinion."

Now it seemed to him (the Earl of Belmore) that this mere "inference of legislation" was very unsatisfactory to shareholders, and there should be no doubt on the subject. Many landowners and others had taken shares on the implied understanding with Parliament that they were not to be liable beyond the amount of those shares, and they were willing to risk the almost certainty of receiving no dividends for many years for the sake of improving the country, and it seemed very hard that they should suffer by a lapsus in legislation. Besides, this uncertainty tended to reduce the value of railway property; for, as was remarked to him by the person who brought this case to his notice, "how will you ever get another railway made, or get any person to take shares?" Shareholders were a very helpless body, and he had therefore thought it to be his duty to call attention to this matter in as few words as possible, and without saying anything that could effect one way or the other the particular case to which he had alluded.

DESTITUTE POOR (METROPOLIS).

RETURNS MOVED FOR.

LORD **HOUGHTON**, in rising to move for—

> "Return of the Number of Unions or Parishes that have availed themselves of the Act of 29th July, 1864, enabling them to receive from the Metropolitan Board of Works the Sums of Money expended in the Relief of the casual Poor; of the Amount of Money hitherto so expended; and of the Unions where the Guardians have provided new Wards or other Places of Reception for this Class of Poor since the passing of the above mentioned Act"—

said, his object in moving for this Return was to obtain information as to the operation of an Act which had been passed at the end of last Session, called the Poor Relief (Metropolis) Act. That Act had been passed with the most benevolent intentions. Its object was to enable the London parishes to provide fuller accommodation for the large mass of destitute persons to be found in this populous city. That Act gave to the London parishes new and considerable advantages. It enabled them to make the police act as relieving officers, so as, in some degree, to distinguish the really destitute from the fraudulent vagrants; and it also gave the parishes power to reimburse themselves for money spent under that Act by the action of the Metropolitan Board of Works, the effect of which action would be that the burden of providing for the destitute poor would not fall wholly upon individual parishes, but would be distributed over the whole metropolis. By that provision parishes had been encouraged to make liberal provision for the relief of the houseless poor. The present winter had certainly not been a very severe one, and, therefore, there was no reason to suppose that there were more destitute persons than in other winters; but their Lordships must be aware that there never had been a winter in which the destitution of the poor of London had been made so large a subject of comment and inquiry. Most of their Lordships must have received repeated communications, not only from public personages, but also from ladies of high station, who had devoted themselves to the object of establishing night refuges for the houseless poor. A large number of refuges had been established, and, as the columns of *The Times* had shown, an immense sum of money had been subscribed. Therefore, there was this curious fact—that there had been larger demands than usual upon public charity at the very time when Parliament had just passed an Act, the effect of which should have been to have provided for the wants of the destitute poor without the necessity of any appeal to private benevolence. There could be no doubt that the relief of the really destitute poor could be best administered through the legal means of the Poor Law, and for this reason—that if the destitute poor were once encouraged to depend upon private charity a great deal would be done towards preventing those persons from aspiring to the position of the labouring men, and from seeking an honest living for themselves. He hoped that the Returns he moved for would show what had been done under the Act of last Session. He was informed that it would be shown that the Act had been largely applied; that many wards had been provided for the reception of the houseless poor, but that the effect of the refuges established by private charity had been to prevent the destitute poor from availing themselves of the parochial wards. If such a state of things was allowed to continue, the effect would be to draw to the metropolis a large portion of the vagrant population of the entire country. Those persons would know that in hard times they could always obtain food and shelter in the refuges of London, and thus the effect of charitable efforts would be to increase to a large extent the pauperism of the land. He could not, of course, state what the Returns would absolutely prove, but he was quite sure that the subject was one of great importance and well deserving the attention of the Poor Law Board.

EARL GRANVILLE said, the subject was no doubt highly important, but it was not a matter to be easily disposed of, although it would certainly receive due attention. There was no objection to the production of the Returns.

THE EARL OF LONGFORD remarked, that the metropolitan railway improvements, for which Bills would come before Parliament in the present year, would drive from 12,000 to 14,000 people out of their dwellings.

PRIVATE BILLS.

Ordered, That this House will not receive any Petition for a Private Bill after *Thursday* the 23*rd Day of March* next, unless such Private Bill shall have been approved by the Court of Chancery; nor any Petition for a Private Bill approved by the Court of Chancery after *Friday* the 12*th Day of May* next:

Ordered, That this House will not receive any Report from the Judges, upon Petitions presented to this House for Private Bills, after *Friday* the 12*th Day of May* next:

Ordered, That the said Orders be *printed* and published, and affixed on the Doors of this House and Westminster Hall (No. 2).

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, February 9, 1865.

MINUTES.]—NEW MEMBER SWORN—Hon. George Frederick Boyle *for* Bute County.

SELECT COMMITTEE—General Committee of Elections; Bankruptcy Act; *appointed.*

PUBLIC BILLS—*Resolution in Committee*—Qualification for Offices Abolition.

Ordered—River Waters Protection*; Sewage Utilization.*

First Reading—Qualification for Offices Abolition [2];* River Waters Protection [3]*; Sewage Utilization [4].*

PRIVATE BILLS—APPOINTMENT OF REFEREES.

MR. SPEAKER acquainted the House, that Mr. Hugh Adair and Mr. Hassard, Members of this House, having consented to serve as Referees on Private Bills under the Standing Order of last Session, he had appointed those two Gentlemen to be Referees, together with Mr. Rickards, his Counsel:—Mr. Speaker added, that he need not say how great a sacrifice of their time and ease these Gentlemen were prepared to make in taking upon themselves the laborious duties of this office.

PRIVATE BILLS—STANDING ORDER No. 7.

Standing Order No. 7 read.

Mr. CHARLES FORSTER, in rising to move to amend the Standing Order No. 7, by substituting "three" for "four" as the number of Members to compose the Select Committee on Private Bills, said, the hon. and gallant Member for North Lancashire (Colonel Wilson Patten) had last Session brought forward a Resolution with respect to the private business of the House, which was included in the Standing Orders, which he deemed to be calculated to promote the convenience both of hon. Members themselves as well as of the public. The hon. and gallant Gentleman in moving that Resolution, stated that the business in question had increased to so enormous an extent as to be beyond the working powers of the Committees, and that the Committee of Selection found the greatest difficulty in naming the Committees for Private Bills, and were consequently compelled to fall back upon a body of reserve, or rather he might call them a noble band of volunteers, who though exempt according to the practice of the Committee, inasmuch as they had already stood the chances of the panel, generously came forward in the emergency, with offers of assistance. The proposal, therefore, of the hon. and gallant Member was to reduce the number from five to three. Unfortunately, however, the number "three" was subjected to a sort of triangular duel on the occasion between the Members who were in favour of five and those by whom the number "four" was advocated. The result of the proceedings showed how a minority might by accident become a majority. A division was first taken on the question, that "three" be the number, and the Motion in favour of that number was negatived by a small majority, inasmuch as those who supported the proposals both for "five" and "four" voted on the same side. When, however, number "five" had in its turn been negatived, by the combination of those who were in favour of the numbers "three" and "four," many hon. Members who had voted with the "noes" on the first division wished to retrace their steps, while those who thought a reduction simply to four an arrangement full of inconvenience, yet, when obliged to accept it or to have no reduction at all, felt themselves called upon, though very reluctantly, to vote for it. In the course of the discussion it was ruled from the Chair that "three" having been negatived, and a majority recorded in favour of "four," the decision of the House could not be altered in the course of that Session; and it was to give the House an opportunity of escaping from the false position in which it was thus placed that he made the present Motion. A reduction to four, though a reduction *pro tanto*, was, he contended, not such a reduction as the state of the case demanded, when the great increase in the amount of private business in recent years was taken into consideration. The list of Private Bills for the present Session contained 595 entries. But the alteration of last year had given rise to another objection of a serious kind. Up to the period of the change which had last Session been introduced, the Members of the various Committees took their seats in the Committee-rooms under an equal sense of responsibility; but when by the reduction to four the Chairman obtained a double vote, a blow was given to that system of equality which was so intimately interwoven with all the usages of Parliament; the other Members felt themselves in an inferior position, and consequently felt a diminished responsibility. The House, therefore, in his opinion, by restoring the scheme of the hon. and gallant Member for North Lancashire to its original shape would not only facilitate the labours of the Committee of Selection, but would, he thought, ensure greater attention and a greater feeling of responsibility on the part of the Members nominated to serve. Some persons feared that by the reduction of the number to three, great practical inconveniences would arise, and that stoppages would be occasioned. He would, however, remind the House that by the appointment of Referees the labours of Committees would be much shortened, and that the contingency of a stoppage was now more remote than formerly. In any case the House *en dernier resort* could always remedy the inconvenience either by nominating other Members or by ordering that the Committee should proceed with the diminished number.

Amendment proposed, to leave out the word "four," in order to insert the word "three,"—(*Mr. Charles Forster,*)—instead thereof.

Mr. SMOLLETT thought the proposition made by the hon. Member would have hardly any effect in reducing the onerous duties discharged by certain Members of the House, and would leave untouched the greatest evil of all—namely, the manner in which the Private Business was conducted by that House. He perfectly agreed with the proposition made last year by the noble Lord the Member for Stamford (Lord Robert Cecil), that it was exceedingly desirable that there should be a tribunal external to the House of Commons to which the private business of the country should be referred. But, admitting that this suggestion was not practicable at the present moment, he would make another by which he thought that the duties now imposed on Members would be greatly diminished. For five years consecutively he had now been elected to serve on Private Bill Committees, and he did not think that could have happened, even with the admitted pressure of business, had the Members been selected fairly and impartially. The fact was that a large number of Members were not called on to serve at all. In his opinion, every gentleman offering himself to represent a constituency in Parliament ought to be bound to take in his turn the duties devolving upon Members of the House, and the only exceptions which he would make were in the cases of those holding office under the Crown, and discharging duties from which they could not escape: any other Gentleman seeking to be excused from attendance on Committees ought to produce a medical certificate of his inability to do so; and if all took their turns fairly, there would be little duty for each to discharge. He might be told that there were a great many Gentlemen following the profession of the law, and others who were attending to duties in the City, or otherwise employing their time more profitably than upon Committees. But if their private and public duties clashed, if they found Parliamentary duty irksome, they had their remedy—they ought to resign their seats. Last year, on one of the latest days of the Session, the hon. Baronet the Member for Dundalk (Sir George Bowyer) stated that he had been for three years without serving on Private Bill Committees. He had heard, with his own ears, a Gentleman declare in the lobby that he had avoided serving on a Committee for seven years consecutively. How was it done? He did not say that the Committee of Selection had taken the names unfairly, but they certainly allowed a great many men to escape without, as it appeared, sufficient reasons. In the present Session there were between 500 and 600 Bills, of which 400 or 500 at least were Railway Bills; and the hon. Member for Stockport (Mr. Watkin), himself the chairman of some railway companies, told a meeting over which he presided not long ago, that he was sorry to see such a large number of undertakings propounded to which there were very few subscribers or shareholders. The fact of the matter was that a railway company was got up now by an engineer, a speculative contractor, and an attorney. An old-established company generally took up the scheme, in order that some other company might not use it to their prejudice; but the public had no interest, and were never consulted in the matter—they were not consulted and were not asked to become shareholders—and there was no opposition to many of the Bills unless some other existing company thought that its interests were likely to be injuriously affected by the project at some future period. There were fifty-four railway Bills from Scotland, the part of the kingdom that he knew best, before the House this Session, and a great number of these fell under the category of Bills without shareholders. These could all be got rid of at one swoop by referring them to a Royal Commission. If a Commission of this nature were issued the members should be well paid, and it should be composed of men whose names were such as to give a guarantee for integrity as great as that afforded by Committees under the present system. The Commissioners would proceed to Scotland and take evidence upon the spot. They would soon be enabled to distinguish those Bills in which the public had any interest from those promoted by private speculators, or having their origin in railway rivalry, and be able to report accordingly. In this way, he maintained that the railway business of the country would be transacted with greater economy, and certainly with a greater regard for the public interests than is now practised under the existing system. It was, however, to be expected that there would be opposition to this plan from all sides—from railway boards, from speculative engineers, from railway contractors, and from touting financial companies, all of whom would be prepared to declare, and if necessary to swear, that the present system worked admirably. These were his views, and he did not think it mattered whether the proposition of the hon. Member for Walsall were carried or rejected.

SIR FRANCIS GOLDSMID said, that the remarks of the hon. Gentleman who had just sat down, whatever their merits, had little immediate bearing on the proposition before the House. Notwithstanding the great experience of his hon. Friend the Member for Walsall (Mr. C. Forster), grave objections seemed to him to present themselves to the Motion which he had submitted. It generally happened that those investigations which occupied the longest time were of the greatest importance, and in such a case, where the Committee consisted of five Members, if one of the number were withdrawn before the conclusion of the inquiry, owing to the death of a relation or to personal illness, it made very little difference in the end, because the particular Member was discharged from attendance and the remaining Members completed the investigation. And this would still be the case if the number stood at four. But if the number were reduced to three and one of these were withdrawn, the effect must be either to reduce one of the two Members to a dummy if the Chairman retained his casting vote, or, if this were done away with, to bring matters to a standstill. It would be a smaller inconvenience that the Standing Order should remain as it was at present than that the whole expenditure should be futile, and that the parties should have to begin over again.

SIR GEORGE BOWYER said, he could not regard the proposition now before the House as being materially better than that adopted last Session. The number of four was inconvenient because it was necessary to give a casting vote to the Chairman, and that was a very lame expedient for getting over the difficulty. He thought that a conclusive objection to the number four, but the number three was equally objectionable, because it gave an undue importance to the Chairman. If any one Member of the Committee could get the Chairman to agree with him he would have it all his own way. There was, in his opinion, no choice between three Members and five, and it would be much better to go back to the old number of five. That was an unpopular view, because it entailed trouble upon a greater number of Members. He believed, however, that the complaints of Members being overworked were somewhat exaggerated. He himself had been exempt from serving on Committees for a considerable period, and he knew other Members who were never put on Private Bill Committees at all. If the work were more evenly distributed there was no reason why the House should not revert to the old number of five. The new plan of appointing Referees would materially diminish the labours of Committees, and, therefore, the main reason for diminishing the number of Members was very nearly cut away. He could not support the number three except on the ground that it was not quite so bad as four, but he strongly recommended the House to go back to the old number five.

CAPTAIN JERVIS trusted hon. Members would not decide the question solely on the ground of personal inconvenience. But he hoped that, whether the number consisted of three or five, the vote of one Member would be considered equal to the vote of another. He believed that it would take away all energy and responsibility from the Member of a Committee if he found that his opinion was only worth one-half that of the Member sitting next to him. The result would be that he would leave all to the Chairman. He did not care much whether a Committee consisted of three or five, but let each Member feel that his opinion was worth as much as that of the Member sitting near him.

MR. RICHARD HODGSON said, that the question was not the convenience or inconvenience of hon. Members, but what tribunal would give the greatest satisfaction to the parties who came before it. He believed that the feeling among those who usually went before Parliamentary Committees was universal that three was a better number than five. He agreed that four was a number adopted by mistake. It was indeed the most absurd number of any that could be suggested. One strong reason in favour of three was, that it would enable the Committee of Selection to appoint a greater number of Committees at the same time, so that the Private Bill legislation of the House would be got through with less delay, and at an earlier period of the Session. It might be worthy of the consideration of the Committee of Selection whether they ought not to depart from the rule of excluding from Railway Committees all Members connected with railway interests, because the rule of the House excluding those Members who were connected with the district was quite sufficient. The rule prevented many most competent persons from discharging important public duties. He believed that the knowledge of the subject possessed by Members who were now excluded would very much improve the composition of Committees.

MR. HENRY SEYMOUR said, that the proposal now before the House was that which was recommended in the Committee by the noble Lord the Member for King's Lynn (Lord Stanley). But there were two others, which the noble Lord coupled with it—the one that the Committees should sit at an earlier hour, and the other that the number of days should be limited on which Members should serve. As himself connected with the railway interest he was at a loss to understand the ground upon which all who were so situated were invariably excluded from serving upon Railway Committees. He believed they would act as impartially as other men.

LORD STANLEY said, he proposed last year that the number of Members serving on Private Bill Committees should be reduced to three. The House had consented to a reduction of the number, but had fixed it at four. Now, he agreed with the hon. Member for Walsall (Mr. Charles Forster) that three were preferable to four, and for the reason, among others, that it would be a saving of 25 per cent on the labour of the House; and seeing that the number of Railway Bills was greater now than for many years past, that was a consideration which the House could hardly afford to overlook. It was also to be remembered that the more they limited the number of Members, the more they fixed and concentrated the responsibility of each. They ought not to limit the decision to one man, because every man was liable to crotchets and fancies, which could only be removed by discussion. Short, however, of leaving the decision to one man, he believed that the smaller the number the better. If, for example, they had twelve or fifteen instead of five, they would have infinitely more careless decisions than at present. Lastly, there was the reason to which hon. Members had already adverted —namely, that by adopting the number of four they were giving to the Chairman in all cases of doubt a double vote. Now, generally speaking, in these Private Bill Committees the Chairman had the largest experience in that class of subjects, and his opinion necessarily carried with it considerable weight. He did not think it desirable to add to that natural advantage which the Chairman already possessed by giving him a double vote. He would admit the difficulty which was liable to arise in the event of illness; but the House must remember that if they diminished the number of Members from five to three they diminished by nearly one-half the amount of labour imposed; the work would be more distributed over the House, and there would be no occasion for calling upon Members to serve for so great a length of time as at present. He did not hesitate to say that the present term of service upon Private Bill Committees was a great deal too long, that the time and energies of hon. Members had often been unduly taxed. He had proposed in Committee that, except for the purpose of finishing the hearing of a case already begun, a Member should not be called upon to serve more than ten days. Under these arrangements, the probability of a Member being called away by illness or inevitable business was so small that it might be put out of the calculation. In such cases he would allow parties who objected to going on with two Members to stop the hearing, and call for a new Committee; but he believed that in nine cases out of ten they would rather go on with the Chairman and one Member than go over the same ground a second time. In that case no one could complain, because *volenti non fit injuria.*

COLONEL WILSON PATTEN said, he could not enter upon the subject before the House without referring to a remark which had been imported into the discussion by the hon. Member for Dumbarton (Mr. Smollett), as to the manner in which the members of the Private Committees were chosen. As Chairman of the Committee of Selection, it was his special duty to defend that Committee, and he could assure the hon. Gentleman and the House that the Committee of Selection always endeavoured to act with equal fairness towards all the Members of that House. If the hon. Member would only look at the list of the last Session, he would be sensible of the difficult duty which the Committee of Selection had to discharge. Not only must certain Members of the House be altogether omitted, but towards the middle of the Session it must be remembered that many Members who would be otherwise available were engaged in Public Committees, and, therefore, the range of selection was very much narrowed. He was very much surprised to hear the hon. Baronet the Member for Dundalk (Sir George Bowyer) complain of not having been put on a Private Committee, for the hon. Baronet had asked to be excused on the ground that he was serving on a Public Committee; and if the Committee of Selection had not put him on a Private Committee, it was because they believed his attention was directed to public matters. With regard to the Motion before the House, he wished to say that he was Chairman of the Select Committee which recommended that the number should be reduced from five to three. He himself submitted that proposal to the House. A division was taken upon it, and the Motion was rejected by a considerable majority. In the several alterations which he had suggested last Session, his object was mainly to save the time of hon. Members, and seeing that three was objected to, he was willing to take four, because it enabled the Committee of Selection to discharge the business with fewer Members. He did not himself see the objection to the Committee of four. The Standing Order said that the Chairman should have the casting vote; but, if that was objected to, they might adopt the practice of the Lords, where the votes were all equal, and if there was an even division, the question was decided in the negative. The great objection which he saw to a Committee of three was, that either the whole three must be present every moment that the Committee sat, which would be found much more laborious to Members of that House than the present system; or they must make two a quorum, and, notwithstanding the opinion of the noble Lord (Lord Stanley), he very much doubted whether the great railway companies and others who might have important interests at stake would have confidence in a Committee of two. The noble Lord thought they would generally agree to leave their interests to the decision of two. But his experience led him to a very different conclusion. An able counsel, before he was two days before a Committee, would have pretty well ascertained the inclinations of the Members as to the leading points in dispute; and he very much doubted, therefore, whether there would be that general disposition which the noble Lord imagined to leave the matter in controversy to the decision of two. And what, then, would follow? Why, that the meetings of the Committee must be adjourned, and the enormous expense would be doubled in consequence of the delay. He was in favour of three if the thing could be done with justice to all; but having considered the subject since last Session, and having consulted men of experience upon it, he had come to the conclusion that a Committee of three would not answer. He could not quit the subject without expressing to the House the anxiety which he felt at the present moment in consequence of the enormous amount of private business before it. There were no less than 595 Private Bills to be disposed of. It took an hour and twenty minutes to go through the Bills that were presented for reading a first time. That fact inclined him to look with trembling to the difficulties that must be encountered during the present Session. Those difficulties were enormously increased by the absence of one Member upon whom he (Colonel Wilson Patten) was accustomed to depend for assistance, and whose loss would be greatly felt; he alluded to the late Chairman of Ways and Means, Mr. Massey, who had been appointed to an important office in India. He congratulated him upon that appointment, but certainly the difficulties in the way of the transaction of business in that House were enormously increased by his absence. The Gentleman, whoever he might be, who should succeed Mr. Massey, would have a task to perform of which men unaccustomed to it had but little idea. But Mr. Massey was so thoroughly acquainted with it that he was a host in himself. Perhaps the right hon. Gentleman the President of the Board of Trade would favour the House with his opinion on the subject before it.

MR. MILNER GIBSON said, the proposal to change the number composing their Committees on Private Bills arose entirely, he believed, from the difficulty which the hon. and gallant Member for North Lancashire (Colonel Wilson Patten) found in getting a sufficient number of Members to compose the numerous Committees that were required to be formed.

He thought the feeling of the House on the former occasion was that a Committee of five was in itself a good Committee. He (Mr. Milner Gibson) was certainly in favour of adhering to the Committee of five. It was not so numerous as to lessen the sense of responsibility in the individual Members, and at the same time the absence of one or two Members from unavoidable causes did not reduce it below a fair quorum. He was therefore in favour of adhering to the Committee of five as the best. If, however, the hon. and gallant Member for North Lancashire stated positively that he could not get the Members in sufficient numbers to make up Committees to consist of five Members, that was a practical difficulty which required to be met. The hon. and gallant Gentleman was of course the best authority on the subject, and when he said that he could not get five it seemed to him (Mr. Milner Gibson) to be not an unreasonable proposal that they should try four —that was to say, four with a casting vote to the Chairman. The hon. and gallant Member said four without a casting vote. He (Mr. Milner Gibson) believed that was the practice in the other House of Parliament, and when the Committee was equally divided, for instance, on the question whether the preamble was proved, that it was to be taken as not proved. A Committee of four had this great advantage over a Committee of three, that if one Member was absent from illness, or any other unavoidable cause, the Committee would not be reduced below its quorum of three, and parties could have the investigation still carried on. That was so far in favour of a Committee of four. He must say that he thought the public would view it as a serious arrangement for their interests if they were to have a Committee of three only at the commencement, with the chance that through the absence of one person, which might well happen not only from illness but from various other causes, an enormous expenditure should go for nothing, and that the investigation should close owing to a circumstance for which the parties were not at all responsible. He did not himself agree that there ought to be a quorum of two with a Committee of three. He thought it very undesirable that they should ever have a Committee of two. However, he was prepared to take the chance of three. It was a question altogether for the House to determine. If the House said three, he would submit to take three with all its chances. He thought the hon. Member for North Lancashire ought to be taken as the principal authority in this matter, and if that gallant Gentleman was prepared to agree to four, then he should support him, and if the hon. Gentleman said that three was sufficient, in that case he should vote for three.

MR. BENTINCK said, he agreed that the House and the country owed a deep debt of gratitude to the hon. and gallant Member for North Lancashire (Colonel Wilson Patten) and the Committee of Selection for the admirable way in which they discharged the arduous and difficult duties devolving upon them. But as far as the question now before them was concerned, the House had but very little choice in the matter. From what he had heard from the hon. Member who brought forward this Motion, it appeared that the number of Members was insufficient for the work they had to do; and, as the number of Bills was on the increase, while the number of available Members in the House remained the same, he agreed with the hon. Member for Walsall that some change must be made, or the whole thing must of necessity soon come to a dead lock. The hon. Member for Dumbartonshire (Mr. Smollett) had passed a censure upon the Committee of Selection with which he could not agree; but he did concur most cordially in his censures upon the mode in which much of this Private Bill legislation originated. And there was, besides, a practice now common which led to a great amount of inconvenience and injustice. He would not say a word in disparagement of the ability and attention of the Committees and their Chairmen; no doubt they performed the work intrusted to them with great ability and attention. But different Committees naturally held different views, and the consequence was there were no regular precedents, and decisions were sometimes given reversing the decisions of previous Committees. Acting upon this fact, Bills were brought in year after year, although rejected probably from the just opposition of parties interested in the project; and yet, to the great inconvenience of the House, brought in again upon the chance of getting a favourable Committee, or of wearing out the opposition by the enormous expense it often involved. That practice ought to be put a stop to; and he trusted that whatever arrangement was now come to it would be understood to be of a temporary character, and that the

House would take into its early consideration the question whether some more systematic course of action could not be devised, whereby the public would be protected from the encroachments of railway and other companies.

Mr. MARSH was in favour of three Members to serve on Committees, because by adopting that number you would lessen the labours of the House, insure greater attention and responsibility from each Committee, avoid the objection as to the Chairman's casting vote, and at the same time give satisfaction to the parties. It very rarely happened that one Member of the Committee fell ill during the inquiry; but if any such absence occurred, a third Member might be added, he being furnished with the minutes of evidence.

Mr. HENLEY said, he quite agreed with the right hon. Gentleman (Mr. Milner Gibson) that they ought very much to be guided by the hon. and gallant Member for North Lancashire in this matter. What that hon. and gallant Gentleman had said gave him a very strong feeling on the subject. They had now to decide, almost upon sudden notice at the commencement of a Session, whether they should not reverse what was done at the close of the previous Session, when the number of Members to serve on Private Bill Committees was reduced to four. How stood the case? The hon. and gallant Member for North Lancashire said he was in favour of three; but that reconsideration had made him doubt the soundness of that opinion, because they could not avoid the risk of the three coming down to two. If they could be sure always of three there would perhaps be no difficulty; but if the Committee were reduced to two, was it likely, where great interests were involved, that the parties would be satisfied with their decision, and not bring the matter upon the floor of the House? That was a very serious risk, and he thought it was clear the House would not be satisfied to rest on the decision of two. If his hon. and gallant Friend said three, he (Mr. Henley) would agree to try that number for the year, but he should be more contented to take four; and for this reason, that last year the House affirmed it. But he felt confident neither the House nor the parties would be satisfied with the decision of two.

Mr. SCOURFIELD said, the weight of authority was in favour of four rather than three. He could see no possibility, however, of any machinery being devised which would enable the House to deal with the enormous mass of Private Bills, most of them purely speculative, now brought in every Session. The House should not forget that an attempt was to be made to carry out a new system by the appointment of Referees, and it would be well to see how that worked; but if the House were still called upon to pass every Session the large number of Private Bills brought before them, it was not possible to devise machinery which would prevent a strain upon the time of the House. The Report of the Committee which sat last Session on this subject said the only way to meet the difficulty was to diminish the quantity of the work to be performed. Mr. Massey fully agreed with that Report, which was almost unanimously agreed to; and he believed that the House would soon be compelled in self-defence to adopt that view of the case.

Sir GEORGE GREY collected from what had fallen from the hon. and gallant Member (Colonel Wilson Patten) that he thought it expedient to try four Members, and in this case the only question would be whether the Chairman should have a casting vote. If you could always insure that three Members would be present, three would form a very competent Committee; but the noble Lord the Member for King's Lynn (Lord Stanley) had said that very great difficulty might arise if the Committee were reduced to two, and he proposed to get over that difficulty by providing that the inquiry should proceed with two Members, by consent of both parties. But, in practice, that consent would hardly ever be given. When a Bill was opposed late in the Session, the opposing party would of course refuse their consent, and would throw upon the promoters the necessity of beginning *de novo;* so that the Bill would be defeated by mere lapse of time. He thought it better, on the whole, to adhere to the decision arrived at by the House last Session, which would of itself afford considerable relief to hon. Members.

Mr. SCLATER-BOOTH said, he had a strong feeling against the proposal to give a casting vote to the Chairman. He wished to ask the hon. and gallant Member for North Lancashire whether, in the event of four being agreed to, he would be prepared to carry out the suggestion to abolish the casting vote of the Chairman?

COLONEL WILSON PATTEN said, his intention undoubtedly was that they should try four for the Session. If that proposal were agreed to, he would undertake to give notice of a Motion to abolish the casting vote of the Chairman.

Question put, "That the word 'four' stand part of the said Standing Order."

The House *divided:*—Ayes 154; Noes 72: Majority 82.

PRIVATE BILLS—PRINTING PETITIONS.

MR. TORRENS said, that towards the end of last Session he brought forward a Motion similar to the one he now intended to propose, and the late Chairman of Committees then stated as an objection to it the increased expenditure it might cast on persons appearing before Private Bill Committees, but promised that, during the recess, he would consult with parties interested in such Bills on the subject, holding out an expectation that he would this Session agree to some such proposition. The late Chairman of Committees had now left that House, and he had not had the opportunity of seeing that hon. Gentleman since last Session. He would not now have ventured to propose this Motion had not many experienced Members of the House, well versed in the practice of Private Bill Committees, fully concurred in the advisability of the Resolution being brought forward. Under the present system, the Members of a Private Bill Committee had no opportunity of seeing the petitions of parties until they assembled in the Committee-room; then, on applying to the clerk, he could have it handed over to him engrossed in a cumbrous form on a parchment almost as large as the table before which he sat. If he perused it he must do so at a time when perhaps counsel was speaking, or some witness giving important evidence. To obviate this inconvenience, he would propose that the petitions connected with Private Bills should be sent to the Members of Private Bill Committees two days before the assembling of each Committee; and he would also propose that the Private Bills themselves should be forwarded to the Members of the Committee two days previous to the assembling of each Committee. He thought it would be an improvement if a copy of each petition were delivered along with the Bill in the manner he proposed. Members of Committees might thereby have an opportunity of considering what they were to adjudicate on, and of comparing the statements in the petition with the promoters' Bill. The Chairman of Committees objected last Session to this on the ground of the increased expense it would occasion; but he had since ascertained by inquiries that fifty copies of a petition taking up four pages could be printed in the type used for printing the Votes and Proceedings of the House at a cost of less than 28*s*., and that 250 copies would cost considerably under £2 10*s*. The despatch of business before Private Bill Committees would obviously be facilitated by the adoption of his suggestion; and he begged, therefore, to move a new Standing Order to the effect—

> "That on every Private Bill, to be considered by a Committee of this House, all Petitions presented against such Bills be printed at the expense of the Petitioners, and Copies of those Petitions, as well as a Copy of the Bill to be considered, be delivered to each Member of the Committee not less than two days previous to its assembling."—(*Mr. Torrens.*)

COLONEL WILSON PATTEN said, he believed this proposition was a very reasonable one, but at the same time thought it must involve a considerable increase of expense to the parties appearing before these Committees. He had seen the Motion on the paper only within the last few hours, and had not had an opportunity of taking the opinion of persons interested on that point. Perhaps, therefore, the hon. Member would be kind enough to postpone the Motion for a day or two.

MR. TORRENS said, he should be happy to act upon the suggestion of the hon. Member for North Lancashire; but, having already ascertained that the expense that would result from the adoption of his proposal would be so very trifling, he thought the House would gain nothing by further inquiry.

COLONEL WILSON PATTEN said, that taking the hon. Member's word on that point, he would acquiesce in his Motion.

MR. MILNER GIBSON thought it desirable that the suggestion of the hon. Member for North Lancashire should be acted upon by the proposer of the present Motion. He (Mr. Milner Gibson) had a strong impression that Mr. Massey, the late Chairman of the Committee of Ways and Means, had some objection to the alteration now proposed, but he could not positively say. He, however, hoped the hon. Member would postpone his Motion.

Mr. TORRENS said, he agreed to it, but did so very unwillingly.

Motion, by leave, *withdrawn.*

Standing Order 195 read, and amended.

PRIVATE BILLS.

Mr. HENRY SEYMOUR moved—

> "That a Message be sent to the Lords requesting their Lordships to communicate to this House the Minutes of Evidence which may be taken before every Committee on a Private Bill originating in the present Session with their Lordships, and sent down to this House."

He said, that his object was to diminish the labour without diminishing the efficiency of the inquiries before their Private Bill Committees. With the Minutes of the Evidence taken before the Lords' Committee in his hands, the Chairman of a Private Bill Committee of that House would be able to indicate to Counsel the points to which their attention should be restricted.

Motion *agreed to.*

REGIMENTAL QUARTERMASTERS.

QUESTION.

Sir FREDERIC SMITH asked the Under Secretary of State for War, Whether he has received the Report of the Committee appointed to inquire into the condition of the Regimental Quartermasters, and whether it is intended to lay it upon the table of the House, or to take any action upon it?

The Marquess of HARTINGTON said, the Report in question had been received, and there would be no objection to lay it on the table. The Committee made several recommendations, some of them involving questions of a financial nature, which would, of course, require the consideration of the War Office and the Treasury. Other recommendations involved matters affecting the discipline and internal organization of the army, and they would have to undergo the consideration of the Secretary of State for War and the Commander-in-Chief. In bringing forward the Army Estimates, he would state what were the recommendations of the Committee, and how far the War Office proposed to take action upon them.

ABINGDON GAOL.

QUESTION.

Mr. DARBY GRIFFITH asked the Secretary of State for the Home Department, Whether the Prisons Bill, about to be brought in, will remain the same as that brought in by him last Session with respect to Clause 13, Part III. of the Bill, authorizing the discontinuance and disposal of Abingdon Gaol?

Sir GEORGE GREY said, that as he would on Monday next move for leave to bring in a Bill upon the subject of Prisons, he thought it would be more convenient that he should postpone until that period any explanations upon the subject of the hon. Gentleman's question.

ROYAL DOCK IN CORK HARBOUR.

QUESTION.

Mr. HENNESSY asked the Secretary to the Admiralty, What steps the Government propose to take with reference to the recommendation made by the Select Committee of last Session in favour of establishing a Royal Dock in Cork Harbour?

Lord CLARENCE PAGET begged to inform the hon. Gentleman, that in a few days the Navy Estimates would be laid on the table. It would be very inconvenient that he should now give any detailed information as to what was contained in those Estimates, but he had no objection to state thus far that the Government intended to proceed with the Dock in Cork Harbour.

RAILWAY ACCIDENTS.

QUESTION.

Mr. BENTINCK asked the President of the Board of Trade, Whether, in consequence of the repeated recurrence of Railway Accidents, it is the intention of Her Majesty's Government to introduce, during the present Session, any measure for the better prevention of Railway Accidents, founded on the Report of the Committee on Railway Accidents which was laid upon the table of the House in the year 1858?

Mr. MILNER GIBSON: The first recommendation of the Committee over which my hon. Friend presided in the year 1858 was that the Board of Trade should be invested with the fullest powers to investigate and to report to Parliament on any accidents which might occur on railways. It is not the intention of the Government to ask Parliament to invest the Board of Trade with those powers, because it has not been found by experience that such powers are required, inasmuch as all accidents that take place undergo inquiry, and the railway companies have been found willing to supply the Inspectors who conduct those inquiries with all the information that is needed. Another recommendation of the committee was, that it should be imperative on every railway company to establish means of communication between the guards and the engine-drivers. The question of establishing that communication, as also the question of establishing a communication between passengers and guards, has been under the consideration of a Committee at the Railway Clearing House, composed of representatives of the principal railway companies; but they have not yet made their report, and I cannot, therefore, tell what course may be decided upon in reference to this subject. But the Report is, I believe, upon the point of being issued, and I am not aware of any objection to laying it upon the table of the House if it be desired. The House will then see what course the Railway Committee propose themselves to adopt to give effect to the recommendation of the Committee of this House; but, as at present advised, it is not the intention of the Government to bring in any Bill upon the subject. The next recommendation of the Committee was with regard to the establishment of telegraphic communication along the line of railways, and telegraphing the despatch of trains —a very excellent recommendation, and one very well calculated for the prevention of accidents. That system has already been very extensively adopted by the railway companies without its having been rendered imperative by legislation; and I have no doubt it will ultimately be universally employed. Its adoption is certainly on the increase, and the system is already in force on the principal railways. So far, therefore, as these recommendations of the Committee are concerned, it does not appear to the Government that there is any necessity for legislation to give effect to them; nor is it desirable to shield the railway companies from the responsibility which now devolves upon them to provide for the safety of the public travelling by their lines. I may be permitted to state what an analysis of the Returns shows with regard to railway accidents for the year 1864. It is true there has been an increase of railway accidents to passenger trains in 1863, over 1864. In 1863 there were fifty-two accidents to passenger trains; in 1864 there were seventy-seven separate accidents. That is certainly a very considerable increase; but it must be borne in mind that there had also been a considerable increase in the number of trains run upon the railways and in the amount of mileage. With regard to the number of passengers killed and injured, I find that during the year 1864—taking the probable amount, because the exact figures have not yet been made up, but the account must be very near the mark—the railways have conveyed 220,000,000 passengers, exclusive of season ticket-holders, and that fourteen persons altogether have been killed, or one out of every 15,714,285 persons carried. As to persons injured, I find the proportion to be one out of every 315,638 passengers. There has been during the year a considerable increase in the number of passengers injured, but the list of passengers killed shows a decrease as compared with the preceding year. I do not think these Returns show that railway accidents have occasioned any very considerable loss of life or any very great amount of injury to passengers; but, at the same time, the railway companies have paid a very heavy penalty for the injuries they caused to persons travelling on their lines. During the year 1863 the amount of the damages and indemnities they thus paid did not, I believe, fall much short of £170,000, it might be more. Under these circumstances, it does not appear to the Government that it is necessary to undertake to make any regulations for the management of railways, or to diminish the responsibility of the companies for the safe conveyance of the public.

CASE OF MR. CHARLES ASHWORTH.

QUESTION.

MR. BAZLEY asked the Secretary of State for the Home Department, Whether his attention has been directed to a gross outrage committed upon Mr. Charles Ashworth, of Fairfield and of Egerton Hall, Lancashire, who was seized by a pretended Police Officer at Shrewsbury, robbed of his watch, money, and other property, and then taken before the Borough Magistrates, and, under their orders, incarcerated for twenty-four hours, though the most respectable and liberal bail was offered on the arrival of a clerical friend, but refused, and the testimony of his high respectability disregarded; and, whether the Magistrates have been removed from the Commission of the Peace?

Sir GEORGE GREY said, he had received no information whatever with regard to the outrage committed on Mr. Ashworth, and he deeply regretted that he had been subjected to it. No complaint had been made to him as to the conduct of any magistrate concerned in the transaction, nor had any representation reached the Home Office upon the subject.

BELFAST COMMISSION OF INQUIRY.—QUESTION.

Mr. O'REILLY asked the Chief Secretary for Ireland, When he will lay upon the table of the House the Report of the Belfast Commission of Inquiry; and whether he intends to propose any legislation founded on that Report?

Sir ROBERT PEEL said, he believed the Report would be in the hands of hon. Members in a few days. He did not, of course, know certainly what would be the nature of its recommendations, and he could not therefore say whether the Government would propose any legislation founded upon them. But he could state that it was the intention of the Government to introduce a measure with reference to the condition of the town of Belfast.

COLONIAL GOVERNORS' RETIRING ALLOWANCES.—QUESTION.

Mr. BAILLIE COCHRANE asked the Secretary of State for the Colonies, If, during the recess, the case of the ex-Governors of Colonies had been taken into the consideration of the Government; and whether a Bill will be introduced to grant them retiring pensions?

Mr. CARDWELL said, the case of ex-Governors of colonies had been considered during the recess, and a Bill was in prepation, having for its object to provide pensions for those whose services had been sufficient to entitle them to such provision.

LORDS COMMISSIONERS' SPEECH.

MOTION OF SUPPLY.

Lords Commissioners' Speech, *considered*, and again read by Mr. Speaker.

Mr. Bazley

Motion, "That a Supply be granted to Her Majesty."

Committee thereupon *To-morrow*.

BANKRUPTCY ACT.

SELECT COMMITTEE APPOINTED.

Mr. MOFFATT said, it would be in the recollection of the House that last Session he called attention to the state of the bankruptcy system, and obtained the appointment of a Committee to inquire into and report upon it. He would not go over the ground he then traversed, or state at any length the result of the deliberations of the Committee. He would not trouble them with the weary details of the evidence as to the utter inefficiency of the old system of bankruptcy; how they found Commissioners irregular in their attendance, negligent of their duties, loose and uncertain and frequently contradictory in their judgments, and giving the greatest dissatisfaction to suitors; how the official assignees, who were paid under a wrong system, were also careless and indifferent to the interests confided to their care, and some of them guilty of still graver offences; how the system of creditors' assignees resulted in still greater failure, they being really no protection to those whom they represented, and their audit of the official assignees' accounts being too generally worthless; and how even the subordinate officers of the courts, the messengers, and others, extracted large sums for their own use out of the bankrupt estates. From a recent Return showing the operation of the Bankruptcy Act for the year ending the 11th October, 1864, he learnt that the total amount of money collected under bankruptcy was £677,000 out of which the official charges were upwards of £140,000, or about 20 per cent, exclusive, of course, of the solicitors' and other expenses which could not be avoided. Out of 7,200 bankruptcies, 600 were at the instance of the creditors, and 6,600 at the instance of the debtors. A very large proportion of the estates, upwards of 5,300, yielded no dividend at all, the debtors obtaining their discharge at the public cost; only 350 paid more than 5*s*. in the pound, and only 165 more than 7*s*. 6*d*. in the pound. He had lately attended the Bankruptcy Court for half an hour, and had been much edified by what he saw and heard. The first case was that of a cornchandler, who was indebted to the amount of £84, and had no assets. The Commissioner asked what he had done with his furniture, and on his replying that his landlord had got it, the debtor received a discharge. The next man had incurred a debt of £680 in Scotland, and here again the assets were nil. The chief creditor, however, had engaged counsel, and the bankrupt was, after much equivocation, obliged to confess that he had quitted Scotland because there was a writ out against him, and had got himself arrested in London on a friendly suit for a fictitious debt in order that he might obtain the protection of the English law. The counsel submitted that this was an offence under the Act, but the Commissioner did not so view it, and said he should like to have further evidence, although the bankrupt had fully convicted himself by his own admissions. The third case was that of a small tailor in the east of London, who had put his name to accommodation bills for a large amount, and had no assets. His furniture had also been surrendered to the landlord. The Commissioner admonished him as to the impropriety of giving acceptances without value received, and granted a discharge. Now, he could only say that such a system was a direct encouragement to knavery, roguery, and every offence which could disgrace and corrupt a mercantile community. The Act of 1861 authorized settlements under composition or by assignment. The first method had not been inoperative. About £1,100,000 was dealt with in that way last year. But during the last three months of 1864, there were 304 compositions for less than 5*s.* in the pound, and of that number 250 paid less than 3*s.*, and several only 3*d.* to 6*d.* in the pound. The fact was, that creditors were ready to accept almost anything rather than go into the Bankruptcy Court, as it now existed. The law as to settlements by assignment, however, seemed to invite fraud. The insolvent was permitted to make out his own list of creditors, and there were no means of testing the list, except by a tedious process after the assignment was made, and at the expense of the creditor who demanded it. The result was that the debtor often inserted the names of assenting creditors who did not exist, in order to obtain the settlement. The consequence was that fraud flourished, and luxuriated under the system. There were many defects in the Act of 1861, for which the author of that measure was not responsible. Had the Bill passed as it left that House, it would have worked very differently; but it was unfortunately emasculated in another place. In his opinion, no measure based upon the principle of the existing system would satisfy the requirements of the country. That system undertook to do two things — firstly, to interpose State machinery for the collection and distribution of the assets of bankrupts; and secondly, to deprive the creditor of all control over the assets, and of his power to absolve the debtor, and further to set up a tribunal to judge the honesty or dishonesty of debtors. The latter object was quite beyond the scope of a sound and useful bankruptcy system, and he should be glad to see it abandoned. He thought it was altogether an error for the State to undertake those duties, and was of opinion that it would be of great advantage to the commerce of the country if the old bankrupt law was altogether eliminated from the statute-book. He would suggest the propriety of entirely abolishing the bankruptcy law as effete, and thought it would not be difficult to introduce some self-acting machinery which would establish a simple and sound system of action between debtor and creditor. He should establish some such system as that which had worked so well in Scotland, where official interference was of the slightest kind. The creditors named one person to collect and secure the debts, and that person worked for the creditors and no one else. That system had been in operation ten years, and had worked with entire satisfaction, so far as he was informed, both to debtor and creditor. He thought that system might, with a few modifications, be advantageously established for this country. He would suggest that, at the same time, there might be a tribunal to which all the larger cases—all questions as to the right of the creditor to prove against the estate, and disputes amongst creditors as against each other—might be referred as to a court of final appeal of the highest authority. In regard to the discharge of debtors, those creditors who agreed to accept the estate of an insolvent in lieu of their debts should render to the insolvent a discharge of their claims, the remaining creditors who refused to agree to this arrangement granting no release, and retaining their claim against the future property of the bankrupt. By this plan the debtor would frequently be induced, immediately on finding himself insolvent, to summon his creditors and offer a large dividend while in his power to do so, the release being entirely at the will of the creditors. If this arrangement were permitted by the law, he did not think that there would be any holding back on the part of the creditors where there was a good dividend. Under this plan, too, a dividend of 14*s.* in the pound would, he believed, be no rarity; but, under the present system, such an amount was very unusual. He felt convinced that the establishment of some such system would bring the law of debtor and creditor into a sound, intelligible, and satisfactory state. The same thing had been at work in France for a very long period. In that country the law of bankruptcy, cruel and harsh as it undoubtedly was in some respects, still possessed some small merits. One of its peculiarities was, that an insolvent never became absolved from his debts as regarded property subsequently acquired. This he believed to be unwise, the right plan being to leave the arrangement entirely to the parties themselves. Finally, the abolition of the present bankruptcy law could be done without any cost to the country, as there was an income of upwards of £45,000 a year, accruing from undivided assets, at the disposal of the Government, and this amount would enable the present officials to be liberally and fairly pensioned.

Moved, That a Select Committee be appointed to inquire into the workings of the New Bankruptcy Act, and to report thereon.—(*Mr. Moffatt.*)

The ATTORNEY GENERAL said, that he had no intention of following his hon. Friend into the particulars of the statement which he had made, nor did he think the House would wish him to do so, especially as the terms of the Motion were sufficient to show that the time for its discussion had not yet arrived. No doubt the matter was one which would receive full attention from the Committee, resulting in extensive and important changes, and he felt sure that the House would recognise the valuable services which his hon. Friend had rendered in connection with the subject.

Mr. ROEBUCK said, that he did not rise to oppose the Motion of his hon. Friend, but for the purpose of mentioning a few circumstances to the House in connection with the subject. The Committee of last year had been unwittingly made the means of doing a great injustice to very innocent and deserving persons. The Lord Chancellor sent down certain papers which were the results of an inquiry made by a commission issued by himself, the Commissioners being Mr. Ayrton and Mr. Harding. Those papers, containing certain stigmas on the character of five official assignees in the country, were published. One of those official assignees was Mr. Frederick Whitmore, a gentleman, he believed, who was known to many hon. Members. Mr. Whitmore had once occupied a marked position as a merchant in the City of London, but having become bankrupt at length occupied the comparatively humble post of an official assignee. He was eighty years of age, and as the result of the remarks contained in the report of the Commission was now the inmate of a lunatic asylum. The other four gentlemen were Mr. George Kinnear, Mr. George Young, Mr. John Harris, and Mr. T. Carrick, and charges equivalent to asserting that they were defaulters were made against all those persons. In the case of Mr. John Harris decision had already been given, but upon the others he would say nothing, as they were still *sub judice.* He held in his hand a report of the Commissioners' judgment in the case of Mr. Harris, from which he would read, and he desired to direct to that report the particular attention of the House and of his hon. Friend, who would preside over the Committee, because it was a matter very much affecting a body of honest, industrious, and active officials, who had been, he might say, vilified by the reports of those persons, and his only surprise was that the commissioners had neither been indicted nor had any action brought against them. He might add, that he had no doubt that this was one of the cases to which his hon. Friend had alluded—

> "At the Nottingham Bankruptcy Court yesterday Mr. Commissioner Sanders delivered judgment in the case of Mr. Harris, official assignee of the Birmingham District Court of Bankruptcy, at Nottingham, who was charged by Mr. Chief Registrar Miller with having kept in hand more than £100 in one bankrupt's estate, or above £1,000 in the aggregate of estates, as the case might be, for more than one week, whereby he had become chargeable under the 159th section of the Bankruptcy Act of 1861, and rendered liable to a penalty of 20 per cent on the sums so detained. Mr. Harris was also charged with using the money for his own private purposes. The learned Commissioner gave a detailed account of Mr. Harris's

quarterly returns from 1861 (when the new Act came into operation) down to 1864. He said he had closely examined the accounts, and found that there were only two instances in which the official assignee had had in hand more than £1,000 on the aggregate of estates for above a week; one was on the 16th of August, 1863, when there was an excess of only £1 3*s.* 10*d.*, and the other was on the 16th of September, 1863, when he had in hand £271 14*s.* above the sum mentioned in the Act. The first mentioned sum was too small to be taken into consideration, and the retention of the latter sum was accounted for by the absence of Mr. Harris from home during the long vacation; for during his absence no payments could be made, but after his return the sum was reduced to its proper amount. He complained that the conduct of Mr. Commissioner Ayrton and Mr. Commissioner Harding was too precipitate, inasmuch as they jumped at conclusions and made statements in their report for which they had no legal grounds. Their report dwelt in generalities; it stated that sums had been retained for more than seven days, contrary to the Act; but it did not say when the offence was committed, nor upon what amount the 20 per cent was to be charged. By the Bankruptcy Act of 1861, the manner of remunerating the official assignee was entirely changed. Before that time he received fees, out of which he had to defray all office expenses; but by the new Act he ceased to receive fees and was limited to a salary free of all such expenses. No rules or orders were made under the new Act as to how the office expenses were to be paid, and Mr. Harris accordingly paid these, together with other expenses, out of money in hand received from bankrupts' estates. These payments would reduce the balance to the amounts mentioned in his cash-book. With reference to the £1,803 11*s.* 2*d.*, which Mr. Harding and Mr. Ayrton said the official assignee ought to return, he having received it in fees and not entered it in his accounts, the Commissioners said that they had not sufficient grounds for calling upon Mr. Harris to refund it. Mr. Harris might not unreasonably suppose that he was entitled to those fees, as they were from estates under the old Act."

He might here observe, that of every sum which according to these gentlemen ought to be refunded, the Commissioners had not received one farthing except upon the actual command and decision of the Commissioners—

> "The practice in the London Courts under the old Act was for the official assignee to receive four-fifths of the fees, and the other fifth was paid into court. This sum of £1,803 was made up of fees so obtained. The conduct of Mr. Chief Registrar Miller was indefensible."

As soon as Chief Registrar Miller had heard of the decision of Messrs. Ayrton and Harding, he wrote peremptorily to this unfortunate assignee, requiring him to pay up the sum for which he was said to be a defaulter. He had in his hand a statement which had been sent to him by a friend, and which he thought would rather interest the House, as affording a specimen of the manner in which men's characters had been dealt with by those commissioners. It was as follows:—

> "The accounts of one of the London messengers, named Cooper, were investigated by a person appointed by the Lord Chancellor to that duty, named Butler. Butler reported a deficiency in Cooper's accounts of £1,330. Cooper was suspended on the 27th of April, 1864. Cooper employed an accountant to look into the accounts, who reduced the deficiency to £350. He reported this result to the Chief Registrar. Mr. Harding was appointed to re-examine the accounts. He allowed all Cooper's figures, and continuing the account down to the 27th of April, 1864, found a further sum of £68 as due from him. The sum thus shown to be due from Cooper was not defalcation at all, but simply an amount that Cooper had supposed his own under the old Acts, and from some small mere clerical mistakes. He was reinstated in his office, and all his back salary was paid to December, 1864. Another messenger of the London Court was charged with a deficiency of £1,800 by the Chief Registrar, on the report of Mr. Butler. This messenger had his accounts looked into, and convinced Mr. Butler that Mr. Butler was totally mistaken, and on Mr. Butler's second report, the Chief Registrar ceased to write to him (the messenger), who has been allowed since to retire from work, retaining his full salary. Mr. Butler's charges for investigating the accounts of three messengers (the two named, and another whose accounts must be taken as regular, for nothing has been said to him) were £550, which sum has been paid by the three messengers. Cooper has also paid a further sum of £80 to Harding for the charges for re-investigation."

This statement made it clear that there had been undue and precipitate conduct on the part of those Commissioners who had been appointed by the Lord Chancellor. It was well known what that noble and learned Lord's feelings were, and they wanted to curry favour with him; and, in entire ignorance of the facts, made an unjust report against individuals. He hoped the Committee about to be appointed would inquire into the proceedings of those two Commissioners appointed by the Lord Chancellor, and see on what grounds they had made their report, and on what grounds they could justify it.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the working of the New Bankruptcy Act, and report thereon:"—Committee to consist of sixteen Members:—Mr. ATTORNEY GENERAL, Mr. MOFFATT, Mr. MURRAY, Mr. MALINS, Mr. WEGUELIN, Mr. GATHORNE HARDY, Mr. KIRKMAN HODGSON, Mr. CRUM-EWING, The LORD ADVOCATE, Mr. LOWE, Mr. VANCE, Mr. CAVE, Mr. GOSCHEN, Mr. ROEBUCK, Mr. TAVERNER JOHN MILLER, and Mr. AYRTON:—Power to send for persons, papers, and records; Five to be the quorum.—(*Mr. Moffatt.*)

CONTROVERTED ELECTIONS — GENERAL COMMITTEE OF ELECTIONS.

The Rt. Hon. Sir Francis Thornhill Baring, baronet; the Right Hon. Spencer Horatio Walpole; the Right Hon. Lord Athlumney; Sir William Miles, baronet; George Ward Hunt, esq.; John Bonham-Carter, esq., to be Members of the General Committee of Elections for the present Session.—(*By Mr. Speaker's Warrant.*)

QUALIFICATION FOR OFFICES ABOLITION BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill to render it unnecessary to make and subscribe certain Declarations as a qualification for Offices and Employments; and for other purposes.

Resolution *reported.*

Bill *ordered* to be brought in by Mr. Hadfield, Sir Morton Peto, and Mr. Baines.

Bill *presented*, and read 1° [Bill 2].

RIVER WATERS PROTECTION BILL.

On Motion of Lord Robert Montagu, Bill to amend and better to administer the Laws for the protection of Waters in Rivers and Streams in England, *ordered* to be brought in by Lord Robert Montagu, Sir Fitzroy Kelly, Mr. Ferrand, and Mr. Hibbert.

Bill *presented*, and read 1° [Bill 3].

SEWAGE UTILIZATION BILL.

On Motion of Lord Robert Montagu, Bill for facilitating the more useful application of Town Sewage in Great Britain and Ireland, *ordered* to be brought in by Lord Robert Montagu, Sir Fitzroy Kelly, Mr. Ferrand, and Mr. Hibbert.

Bill *presented*, and read 1° [Bill 4].

Sir GEORGE GREY said, he gave a most ready assent to the introduction of these two Bills. The noble Lord had taken great interest in this important and difficult subject, and he (Sir George Grey) and the House would be glad to see the Bills prepared under the direction of the noble Lord. At the same time, he was bound to say that, having given a great deal of attention to the subject, he doubted whether they were yet in possession of sufficiently full and accurate information to enable them to legislate effectively upon the subject. He assumed that to be the notion of the noble Lord himself, from the fact that he had given notice for the appointment of a Committee of Inquiry.

House adjourned at a quarter before Eight o'clock.

HOUSE OF LORDS,

Friday, February 10, 1865.

MINUTES.]—Select Committee—On Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod, *appointed.*

HER MAJESTY'S ANSWER TO THE ADDRESS.

Her Majesty's Answer to the Address *reported*, as follows:—

"*My Lords*,

"I thank you sincerely for your loyal and dutiful Address.

"It is very satisfactory to Me to be assured that the various Measures which will be submitted to you for the Amendment of the Law will receive your careful Consideration.

"And it will always be My earnest Endeavour to co-operate with you in promoting the Happiness and Welfare of My People."

ROLL OF THE LORDS.

The Lord Chancellor acquainted the House, That the Clerk of the Parliaments had prepared and laid it on the Table: The same was Ordered to be *printed.* (No. 3.)

OFFICE OF THE CLERK OF THE PARLIAMENTS AND OFFICE OF THE GENTLEMAN USHER OF THE BLACK ROD.

Select Committee on, *appointed:* The Lords following were named of the Committee; the Committee to meet on *Thursday* next, at Two o'clock:—

Ld. Chancellor.
Ld. President.
D. Richmond.
M. Lansdowne.
M. Salisbury.
M. Bath.
E. Devon.
E. Carnarvon.
E. Malmesbury.
E. Chichester.
Ld. Chamberlain.
V. Eversley.
L. Willoughby de Eresby.
L. Colville of Culross.
L. Ponsonby.
L. Foley.
L. Redesdale.
L. Colchester.
L. Wynford.
L. Cranworth.
L. Chelmsford.

IRELAND (JOHN DARCY AND ROBERT DAVIDSON).

MOTION FOR PAPERS.

The Earl of LEITRIM, who had given notice of Motion for copies of documents relating to the conduct of the

Constabulary in enforcing the Revenue Laws, who spoke at some length, but was imperfectly heard, said, he felt it his duty to move for these papers; because, from the information he had received, he was led to believe that the police were not justified in the violent measures they had adopted. It appeared that the police searched the house of Michael Sheedy for illicit stills, without being authorized by any warrant, and in the course of their proceedings took him and his son into custody, and also carried away certain illicit stills and other matters upon the cart of Michael Sheedy, which might have been destroyed. It is stated, that while on the way back with the prisoners a great number of people assembled, and that the police became alarmed. The police were not hurt, and it does not appear that any one of their body received so much as a scratch; yet they fired on the people, and killed a man named John Darcy. As the law at present exists, it is a part of the duty of the police to summon the jury to attend the coroner, and, consequently, in this as in other like cases, such as that which will be hereafter mentioned, the police summoned the persons who were to try the case and give a verdict for or against the acts of their companions, either in justification of those acts or to place them on their trial for manslaughter. This appears to be a most objectionable and a very unsafe course to be taken, and one which is neither calculated to give satisfaction to the public or to conduce to the safety or liberty of Her Majesty's subjects, or to the peace or welfare of the country. The case of Robert Davidson is somewhat different, but the result is equally objectionable, and is most dangerous as a precedent; consequently, it is one which should not be passed over without notice. During the month of August last past there were, unfortunately, serious and continued riots in the town of Belfast, during which there was much blood shed; a very large force of military and police were sent to the town, as well as six stipendiary magistrates, with a view to restore order. It does not appear that the military were ordered to fire upon the people, but it does appear that a sub-inspector Caulfield, of the police, became alarmed for his safety and, perhaps, the safety of his companions; he ordered his men to fire on the mob, and he killed a man named Robert Davidson. It does not appear that there was any magistrate present, or that he had any legal authority to fire excepting in self-defence; but as it is not stated that he was hurt by anybody, or that any of his companions were hurt, it does not appear that his fears are a sufficient justification for his killing a fellow subject without the orders of a justice of the peace. The military cannot destroy life without orders from a justice of the peace, and the police ought not to be allowed to do that which the soldier dares not do. Robert Davidson being killed, a fellow policeman assembled a jury to try the case, and a true verdict give, as to how Robert Davidson came by his death, and the verdict they returned was, "Justifiable homicide." Now he (the Earl of Leitrim) thinks that verdict so given most unsatisfactory; and every person engaged in that riot who may be hereafter put on his trial for manslaughter may, with equal justice, claim to be acquitted on the grounds of his fears for his personal safety, that his acts were justified by the danger of his position. Under these circumstances, it is to be hoped that Her Majesty's Government will give the papers asked for. He (the Earl of Leitrim) considered that the police had acted without authority, and in a most arbitrary manner, and he desired to know whether their conduct was approved by Government. There was a coroner's inquest, but as the jury were summoned by the police the verdict was not likely to be adverse to them. The system of searches by armed police without warrants was certain to lead to disturbances, and it was a subject demanding the consideration of the Government.

Moved, That an humble Address be presented to Her Majesty for—

Copy of any Warrant from any sufficient Authority directing Head Constable M'Loughlin and his Assistants to enter the Premises of Michael Sheedy at Lismalbreda in the County of Clare, and search the same, on or about the Night of the 26th of July, 1864: Also,

Copy of the Proceedings and Finding of a Coroner's Inquest held in the County of Clare on the Body of John Darcy, who was stated to have been shot by the Police on or about the Night of the 26th of July, 1864; together with all Informations or Depositions connected with the Search made by the Police on the Premises of Michael Sheedy or with the Death of John Darcy: Also,

Copy of the Report made to the Coroner of the Death of John Darcy, and a Statement showing the Name of the Person who summoned or assembled the Coroner's Jury; and the Names of the Persons who were required to attend as Jurors at the Inquest on the Body of John Darcy; and the Names of all Persons engaged in directing the Assembly of the said Jury: Also,

Copy of all Proceedings, Depositions, and Findings at an Inquest held by I. K. Jackson, Esq., Coroner, on or about the 30th of August, 1864, in the Town of Belfast, on the Body of Robert Davidson, stated to have been shot by Sub-Inspector Caulfield and a Party of Police at or near the Town of Belfast: Also,

Copy of the Report made to the Coroner of the Death of the said Robert Davidson; a Statement showing the Names of all Persons who were summoned to serve on the Coroner's Jury, and by whom they were so summoned or assembled, or in any way engaged in directing the assembling of the Jury: And also,

Statement showing the Name of any Justice of the Peace who was present and authorized the said Sub-Inspector Caulfield to fire upon Her Majesty's Subjects.—(*The Earl of Leitrim.*)

EARL GRANVILLE said, he thought the object of the noble Earl was rather to make a statement than to press for the production of the papers. The noble Earl said, that the police made a search without a warrant; but by the 1 & 2 *Will.* IV. c. 63, s. 18, it would be found that it was not necessary to have a warrant for the purpose of instituting a search in revenue cases. This particular case had been inquired into by a coroner's jury, and by the local magistrates, and as nothing more could now be done in the matter it would only be reviving an ill-feeling to keep the matter open. He should, therefore, decline to produce the Returns. With respect to the Belfast riots, the Report of the Commissioners who had been appointed to inquire into the matter would be in their Lordships' hands in a very few days, and it was therefore unnecessary and undesirable to produce the papers asked for.

THE EARL OF DONOUGHMORE said, that the police in Ireland could not, as simple police, search houses without warrants; but when they clothed the police with revenue powers they gave them power to enter a man's house at any hour of the day or night; and the consequence was that the people of the country did not know in what light to view them, whether as revenue officers or as mere police officers. At one time there was a special revenue police, and he was opposed to the abolition of that force; but as it was said that a doubt existed as to the constitutionality of that body, and that some members of it were notoriously Ribbonmen, he was induced to forego his opposition. He certainly did regret the abolition of the force, because the system of imposing the duties of revenue officers on the police was mischievous. With regard to the papers which referred to the proceedings at Belfast he should ask his noble Friend not to press for them, seeing that the Report of the Commissioners would be in their Lordships' hands so soon, but he hoped that the Government would consent to give the papers in the first case.

THE EARL OF LEITRIM denied that he had brought the matter before the House merely for the sake of making a speech. He was perfectly aware that the matter must come before the House again, and he would therefore leave it in the hands of their Lordships.

Motion (by Leave of the House) *withdrawn.*

THE MAGISTRACY AND POLICE FORCE (IRELAND).

MOTION FOR PAPERS.

THE EARL OF LEITRIM rose to move for Copies of Correspondence relating to the case of Mr. Henry Mervyn D'Arcy Irwin, and the relation of the Police Force of Ireland to the county Magistracy. The noble Earl said, that a feeling of antagonism had existed between the magistracy and the Executive power for the last thirty years, and that that feeling had proved very detrimental to the welfare of the people of that country. He thought Parliament was entitled to know whether Ireland was to continue to be governed under a military code, or whether she had no claim to a constitutional government. His noble Friend (the Earl of Charlemont) had stated, in proposing an Address to the Queen, that Ireland is now in a peaceable state, and prosperous, and that the laws are observed and respected; if this be the fact, and if it be true that the country is in the condition represented by his noble Friend, there cannot be a better opportunity of restoring a constitutional government, and for giving up those coercive and arbitrary powers which were intrusted to the Government in times of pressing necessity and weakness. He understood that Mr. D'Arcy Irwin was a highly respectable and excellent magistrate, and he thought the House might reasonably expect to know the grounds upon which the Lord Chancellor had felt himself justified in withdrawing that gentleman's name from the commission of the peace in a country where the resident gentry were so few. The Police Code to which he had referred in his Motion was a work which the Government of Ireland was very proud of, but which they at the same time guarded with the utmost jealousy, so much so that it was very difficult to get a view of it. When, however, these rules and regulations were regarded in the same light as Acts of Parliament, when they virtually affected not only the welfare of Her Majesty's subjects but also their lives, their liberties, and their safety, he thought they were entitled to their production, and he did hope that the noble Earl would not refuse to agree to the Motion.

EARL GRANVILLE said, that as the noble Earl had only given notice of his Motion on the previous evening he was not in a position to give him an immediate answer. It would be impossible for the Government to give the Returns for which the noble Earl asked, before they had had time for communication with Ireland.

THE EARL OF LEITRIM said, he would postpone the Motion, and such a course would meet the wishes of the noble Earl. He could not, however, avoid remarking that this afforded another instance of the inconvenience which accrued to the business of the public in consequence of there being no Law Lord or any other person in the House to represent the Government of Ireland. He (the Earl of Leitrim) hoped that before long we shall yet see the Lord Lieutenant of Ireland taking his seat in the House, and carrying on the business of the country in the same way as any other Member of Her Majesty's Ministers. It appears to be absolutely necessary that the Government of Ireland should be represented in their Lordships' House, if the Parliament is to be regarded as that of the United Kingdom.

EARL GRANVILLE was understood to say, that if there had been any representative of Ireland in the House it would still have been necessary to communicate with Ireland. The notice required by the rules of the House was fixed in order to enable accurate information to be obtained, and to avoid any chance of the House being misled by hasty and unauthoritative statements.

THE EARL OF LEITRIM said, he would postpone his Motion.

House adjourned at a quarter before
Six o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, February 10, 1865.

MINUTES.]—SELECT COMMITTEE—On Standing Orders *nominated;* Committee of Selection *nominated;* Printing *appointed.*

SUPPLY—Motion for Supply.

PUBLIC BILLS—*Resolutions in Committee*—Banks of Issue; Bank of Ireland (Consolidated Fund).

Ordered—Courts of Justice Building; Courts of Justice Concentration (Site); Court of Chancery (Ireland);* Private Bill Costs;* Criminal Cases (Evidence);* Land Debentures (Ireland); Smithfield Market (Dublin).*

First Reading—Courts of Justice Building [5]; Court of Chancery (Ireland) [6];* Private Bill Costs [7];* Criminal Cases (Evidence) [8]; Land Debentures (Ireland) [9];* Smithfield Market (Dublin) [10];* Courts of Justice Concentration (Site) [11].*

LEGACY AND SUCCESSION DUTY.

QUESTION.

MR. LOCKE KING asked the Chancellor of the Exchequer, Whether it is the intention of the Government to introduce any measure whereby the claims of the Crown, especially in matters of Legacy and Succession Duty, would be limited to some fixed period, in like manner as simple contract debts are now limited with respect to private individuals?

THE CHANCELLOR OF THE EXCHEQUER: If the Question of my hon. Friend refers to the introduction of any legislative measure for limiting the rights of the Crown, my answer to him would be that I look upon it as a matter of law—of constitutional law—rather than a measure of finance, and it would have to be considered in that point of view. But my hon. Friend's Question, as I understand it, refers rather to the office regulations under which the important Department of the Legacy Duties is conducted; and with regard to that subject, my answer to him is that, not exclusively as regards the points raised in the Question, but as regards the general procedure of that Department, in November last the Treasury addressed to the Board of Inland Revenue an instruction directing them to institute a review of the existing system, with the view of ascertaining whether any improvements could be introduced into it, with a due regard to the interests of the revenue, and the satisfactory and expeditious transaction of business. I need not say that my hon. Friend, who is so well aware of the difficult and intricate nature of that Department, will not feel any surprise when I tell him that I have not yet received any Report from the Department upon the subject. It is a matter which will require, and which will receive, very mature consideration, and I feel satisfied that those concerned in it will address themselves to the inquiry in a spirit which will conduce to a result we all desire.

GOVERNMENT POWDER MAGAZINES.

QUESTION.

MR. BUTLER asked the Secretary of State for the Home Department, When it is probable the Commissioners appointed to inquire into the circumstances attending the practice, construction, storage, and general arrangement of the Government powder magazines throughout the kingdom will make their Report; and whether it is the intention of Her Majesty's Government to introduce, during the present Session, a Bill to compel the owners of public buildings to provide sufficient means of escape in the case of fire?

SIR GEORGE GREY said, the Question referred in terms only to the powder magazines belonging to the Government; but perhaps it would be better that he should state the course which the Government had taken in respect to powder magazines generally, since the lamentable explosion at Erith. In November last the Secretary for War appointed a committee of five officers, of which Sir John Burgoyne was Chairman, to investigate the present state of gunpowder magazines in the different places under the War Department, and to report as to the measures which could be adopted, consistently with the requirements of the public service, for giving increased security to persons residing in their neighbourhood. That committee was diligently prosecuting its inquiries, and in the course of it had suggested practical improvements which could be carried into effect at once. The subject, however, was such a large one that some time must elapse before the committee could present their General Report. In addition to that, Captain Boxer had been directed to inquire into the causes and circumstances attending the explosion at Erith. He had done so, and had made a very full Report. He was subsequently instructed by him (Sir George Grey), with the consent of the Secretary of War, to inquire into the state of gunpowder magazines generally throughout the country, not belonging to the Government, and his Report upon that subject had been received only within the last few days. It contained valuable information and suggestions, and it would receive careful attention, with a view to those amendments of the law which appeared to be necessary.

FIRES AT THEATRES AND PLACES OF PUBLIC AMUSEMENT.

QUESTION.

MR. HARVEY LEWIS asked the Secretary of State for the Home Department, Whether, in consequence of the frequent recurrence of fires at theatres and other places of public amusement, it is his intention to introduce a measure rendering it obligatory that, in future, the plans for theatres and all other places of public amusement shall be submitted for approval to an architect, to be appointed for that purpose by the Government, whose especial duty it shall be to see that every possible provision shall be made against the danger of fire, and who should also see that proper and sufficient means of exit shall be provided in all such buildings?

SIR GEORGE GREY said, there was no intention at present to introduce a Bill requiring that the plans of theatres and all places of public resort—for it could not be confined merely to places of amusement—should be submitted to a Government architect before those places were built; but the subject to which the Question referred—namely, the construction of those buildings, so as to provide security against fire, and for the safety of the public in the event of fire—was one no doubt of great importance, and deserved careful consideration. As regarded theatres, it must be borne in mind that they were regulated by law. They must all be licensed —those in London by the Lord Chamberlain, and those in the country by justices of the peace. In the case of the London theatres, the Lord Chamberlain had established very stringent regulations within the last few years, which had effected great improvements in the construction of the buildings, and in providing egress in case of accidents; and, in the case of a new theatre, the Lord Chamberlain would refuse his licence unless the building should be constructed in such a manner as to provide every precaution against fire, and also adequate means of egress. Music halls and other places of the like kind in the metropolis were also licensed by the justices, who might insist upon what the Lord Chamberlain required for theatres; and the same might be done by the justices as to theatres in the country.

TRANSPORTATION TO AUSTRALIA.

QUESTION.

MR. MOOR asked the Secretary for the Colonies, Whether it is the intention of Her Majesty's Government to discontinue the transportation of criminals to Australia; and, if so, at what period such discontinuance will be commenced?

MR. CARDWELL: The papers which have been laid upon the table show that it is the intention of Her Majesty's Government to propose to Parliament measures for the total discontinuance of transportation to the Australian Colonies, and also that the time within which the necessary arrangements can be made in this country for carrying that change into effect has been calculated not to exceed three years.

DISMISSAL OF JUDGE COURSOL.

QUESTION.

MR. PEACOCKE asked the Secretary of State for the Colonies, Whether Judge Coursol in Canada has been dismissed in consequence of any communication from the Government at Home; and, if so, whether such communication was made at the instance of the Government at Washington?

MR. CARDWELL: I have not received any report that Judge Coursol has been dismissed. Whatever steps may have been taken by the Governor General of Canada have been taken by him upon the advice of his Ministers, and not in consequence of any communication made to him by the Home Government.

TURNPIKE TRUSTS.

QUESTION.

MR. WESTERN asked the Secretary of State for the Home Department, Whether it is his intention to introduce any general measure for the extinction of Turnpike Trusts; and, if not, whether, in accordance with the recommendation contained in the Report of the Select Committee appointed to inquire into the expediency of abolishing Turnpike Trusts, he proposes to deal with those Trusts that are free from debt by omitting them from the annual Continuance Act?

SIR GEORGE GREY: It is not the intention of Government to propose at present any general measure for the extinction of Turnpike Trusts; but, in accordance substantially with the recommendation of the Select Committee, it is proposed, with the exception of some very special cases, to omit from the annual Continuance Act trusts that are free from debt.

BRAZIL AND URUGUAY.

QUESTION.

MR. MAGUIRE asked the Under Secretary of State for Foreign Affairs, Whether any and what instructions have been sent to the Minister at Montevideo for the protection of British subjects and property during the aggressions of Brazil against the Republic of Uruguay; and, whether any information has been received as to the state of blockade of any of the Monte Videan ports since the repulse of the Brazilian squadron before Paysandu, as reported in the public journals?

MR. LAYARD said, that as soon as information was received of the state of things on the River Plate in December last instructions were sent to the Admiral commanding the squadron in the neighbourhood to afford all necessary protection to the lives and property of British subjects. No further information had been received since the date mentioned by the hon. Gentleman.

TALOOKDARS AND CULTIVATORS OF OUDE.—QUESTION.

LORD STANLEY asked the Secretary of State for India, Whether the inquiry now being carried on into the respective rights of the Talookdars and Cultivators of Oude is in pursuance of instructions issued by him; and, whether he will lay upon the table any Correspondence that may have passed on the subject; and, also, whether he could give any explanation of the nature and purport of that inquiry?

SIR CHARLES WOOD: I have no difficulty in answering the Question of my noble Friend; and, as considerable misapprehension exists upon this subject, it may be desirable that I should state very briefly the circumstances under which this inquiry has been instituted. It has, I know, been represented that Sir John Lawrence has materially reversed the policy of Lord Canning with regard to the settlement in Oude, and has been guilty of a breach of faith with the Talookdars. I hope that the House will feel sure that Sir John Lawrence is incapable of doing anything of that kind. The great feature of Lord Canning's policy with regard to the settlement of Oude, was to restore the Talookdars to the position of independent native landowners and gentlemen, and that the settlement with the Government should be made direct with them, in lieu of the system which had prevailed in the North West Provinces of a settlement with the under proprietors. That arrangement remains perfect and altogether untouched; but there is a question as to the existence of certain rights of cultivators in Oude. The Chief Commissioner believes that such rights did not exist; the Judicial Commissioner believes that they did. The Chief Commissioner admits frankly that if they did exist, they are preserved under the sunnuds or grants of Lord Canning to the Talookdars in which a condition was inserted that all persons holding under the Talookdars should be secured in the possession of all the subordinate rights they formerly enjoyed; and the object of the inquiry ordered by Sir John Lawrence and referred to in the Question is simply to ascertain whether these rights did or did not exist. If the result should be that they did not exist, there is an end of the question. If the result should be that they did exist, then it will be the duty of the Government, under the stipulations of Lord Canning's grant to the Talookdars, to take care that they are secured. It was not in consequence of any instructions from home that the inquiry was ordered. I shall not have the slightest objection to lay on the table all the papers that we have upon the subject. I am sorry to say that some documents which we ought to have received have not been transmitted to us, and therefore the information which I can give to the House is, like what I possess myself, very imperfect.

TITLES TO LAND IN IRELAND.

QUESTION.

Mr. SCULLY asked the Chief Secretary for Ireland, Is it intended, on the part of Her Majesty's Government, to introduce early this Session a Bill to register or to record the Titles to Land in Ireland?

Sir ROBERT PEEL said, that last Session his right hon. Friend the Attorney General for Ireland engaged to lay on the table of the House a Bill, and he did so

before the close of the Session. There was no doubt that a strong feeling prevailed amongst certain classes in Ireland, to try the experiment of a cheap system of land transfer; but the late Attorney General for Ireland stated in this House, at the time he introduced the Bill, that it would create what he called a great social revolution among the landed proprietors of that country; and, considering the changes which had lately taken place, he (Sir Robert Peel) thought it would be better to wait until the Law Officer of the Crown was in that House, and, therefore, he suggested the matter should be postponed to a future Session.

STANDING ORDERS.

Select Committee *nominated:*—Colonel Wilson Patten, Mr. Walpole, Mr. Henley, Mr. Wrightson, Mr. Gregory, Mr. Bramston, Mr. Bonham-Carter, Mr. Lefroy, Mr. Dunlop, Mr. Edward Egerton, and Mr. Paget.

COMMITTEE OF SELECTION.

Select Committee *nominated:* — Mr. Dunlop, Mr. Gregory, Mr. Bonham-Carter, Lord Hotham, Mr. Mowbray, and the Chairman of the Select Committee on Standing Orders.

SUPPLY.

Motion for Supply—Order for Committee on Motion, "That a Supply be granted to Her Majesty," read.

Lords Commissioners' Speech *referred.*

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

NAVY—ARMOUR-PLATED SHIPS IN THE CHANNEL FLEET.

QUESTION.

Sir JAMES ELPHINSTONE asked the Secretary to the Admiralty, To lay upon the table of the House Admiral Dacres' Report relative to the sailing qualities, &c., of the armour-plated ships, so that it might be considered with the Estimates?

Lord CLARENCE PAGET regretted that he could not lay upon the table of the House Admiral Dacres' reports with regard to the performances of the armour-plated ships. Those reports were always regarded as confidential reports to the Admiralty, and they were almost invariably refused.

CANADA AND THE UNITED STATES.

SIR JOHN WALSH, in asking the First Lord of the Treasury for information relative to the circumstances which had led to the notice given by the Government of the United States of North America to terminate the Convention under which England and the United States mutually engaged not to fit out Naval Armaments upon the Canadian Lakes; also respecting the abrogation of the Treaty of Commerce between the Provinces of British North America and the United States concluded by the late Lord Elgin; and to move for all Papers and Correspondence connected with these subjects—said: Sir, it appears to me that this subject is one of such importance that it not only affords ample justification for the course I am about to take, but renders it incumbent on the House to take the earliest opportunity of inquiring into it, and makes it the imperative duty of Her Majesty's Government to give the most ample information which, consistently with their public duty, it is their power to supply. I venture to say that no mere promise, no formal stereotyped reply, should be placed in the way of affording the House and the country the fullest information on the state of our relations with the United States, with which both the House and the country ought to be made acquainted. I will add, that if I thought the information was imperatively necessary before, my opinion has been confirmed by the perusal of the papers which have been this morning placed in the hands of Members. It appears to me that these papers, as far as they go, render the matter doubly obscure, and leave a *hiatus* which I cannot believe Her Majesty's Ministers cannot supply, and if they cannot supply the *hiatus* it is a very pregnant fact. So far as I have been able to follow out the thread of the Correspondence, it appears that Mr. Seward has communicated to our Minister at Washington that there were strong and urgent reasons, arising out of the raids which have taken place from the shores of Canada, for the adoption of certain temporary and provisional expedients to a certain degree amounting to an abrogation of the Treaty of 1817; but he further states that he regards the temporary infringement as no interference with the spirit of the treaty in all its main provisions. And yet we are informed by the President of the United States, in a most formal manner, in his Message to the Legislature, pledging the authority of the Government in the most unmistakable manner—while Mr. Seward was writing these letters declaring the movement of a temporary character and for temporary purposes—that he intends entirely to abrogate this treaty, and to hold that it be void and of no effect after the expiry of six months. Those discrepancies between the statements of Mr. Seward and the acts of his Government strengthen the demand which I feel justified in making on Her Majesty's Ministers for explanation of so startling a circumstance. I will venture to preface my question with one remark. I have never been one of those who have impugned the policy of neutrality assumed by Her Majesty's Ministers towards the contending parties in North America as their guiding policy; but, at the same time, it always appeared to me that there was one capital defect attaching itself to that policy—that was, that from the beginning this neutrality was not accepted as such by the Government of the Northern States. I have often heard it said that it takes two persons to make a quarrel; and it is equally true that the concurrence of both parties to peace is necessary to secure its solidity; for if while one is determined to be on good terms the other is bent on quarrelling, peace must rest on a very frail and uncertain tenure. But, so far as I can see, the Government of President Lincoln has from the very commencement protested against the line of conduct which Her Majesty's Ministers have thought fit to adopt, and have seemed to look upon it as a departure from those principles which ought to regulate the intercourse of friendly States, and an encouragement on our side of what they choose to regard as rebellion and piracy on the part of the South, as well as a main cause of their long and obstinate resistance. Throughout the continuance of the contest, in all their communications with this country the Northern States have never failed to raise the question they have constantly urged on us, that we are in the wrong, that we have committed a breach of amicable and friendly relations towards them in acknowledging the belligerent rights of their adversaries. We therefore started with a ground of difference as it were between us and the North. I do not desire to bandy abuse or vituperation, or to echo any of those violent expressions which we are informed have often been uttered in the American Congress; but, at the same time, it does appear to me that no English statesman can, or ought possibly, to shut his eyes to the main fact that a feeling of hostility—I may almost say of bitter hostility—has pervaded, since the commencement of the unhappy civil war, the Government, the press, and the people of the Northern States against this country. I will not add to the bitterness of that feeling by a recapitulation of all the proofs which I could adduce to show its existence. There are many circumstances which render it evident that I do not lightly assert that which I can so easily establish. I will simply refer to the case of Captain (now Admiral) Wilkes, whose outrage on the English flag was no great feat of war, nor very valiant exploit, but an insult to our flag, of which the American Government were so sensible of the wrong that it atoned and apologised for it; yet, in that Assembly in the United States, which occupied a position analogous to our own House of Commons, Captain Wilkes was called to its bar for the purpose, not of being reprimanded or censured, but to receive the thanks of the Assembly for the outrage which he had committed. That is a circumstance, when we recollect the many who have received a similar compliment in this country for services, which places the conduct of the two Assemblies in remarkable contrast, and shows how bitter is the hostility towards us. I do not wish to dwell longer on the subject, but I do say we must take these latter acts of the American Government in connection with this spirit which has been so unmistakably exhibited throughout the war. I know it has been sometimes said in this House and elsewhere that the policy of neutrality which we have observed has rendered us equally obnoxious to both the contending parties, and that both are equally inclined to blame us. That may be so; there may exist prejudices against us in the South—I am afraid, indeed, that we have established no particularly good claim to the gratitude of the South—but my memory does not serve me to recall, on the part of the Southern States, any such open, clear, distinct, unmistakable demonstrations of hostility as have been heaped upon us by the press, the people, the diplomatic agents, and the Government itself of the Northern States. It is in connection with this feeling of hostility that we must read these last and most startling steps of their Executive to which I am anxious to call special attention. Now, what are these steps? It will be in the recollection of the House that in the last war with the American States in 1812 the North American lakes were the theatre of the most obstinate and protracted warfare between the two Powers; they contended on those lakes with the greatest gallantry, determination, and that nautical skill which are the common attributes of both people. Protracted struggles took place; but where both parties were equally balanced, and where both, so to speak, were upon their own element, the result naturally was that neither party achieved any decisive advantage. Every one having the slightest knowledge of the geography of the country or the remotest conception of strategical points, must see that the naval possession of those great inland oceans, extending from the river St. Lawrence to the Rocky Mountains, and forming at once the boundary between Canada and the United States and the most remarkable features of the continent, implied the command of the Canadian provinces. It was impossible to cede to the United States naval superiority in those waters without at once blotting out Canada as an independent State from the face of the globe. Such was the feeling entertained when, happily, the sanguinary struggle was closed by the peace of 1816; and the statesmen of that period, sincerely desirous of establishing a lasting peace, applied their minds on both sides to effect an arrangement which would render those waters neutral. They saw at once that if peace were merely to lead to a perpetual race in naval construction, such a peace, in its very nature, would be hollow and temporary, attended with all the expenses of war, and in all probability leading to war at no distant period. Accordingly, in 1817, a treaty was signed by the representatives of the two countries providing for the absolute neutrality of those waters. Both parties agreed to dismantle all the vessels which they had upon the lakes, and to build no others in their stead, except a few lightly armed for purposes of revenue and police, and each carrying one 18-pounder—these vessels to be confined in the case of each of the Powers to two upon Lake Champlain and one upon each of the other lakes. The treaty thus happily completed has now been in force for half a century, and to it must be attributed the peace and tranquillity which, during that period, has existed between the countries. It has, moreover, been supplemented by a Treaty of Commerce made during the viceroyalty of Lord Elgin, under which perfect reciprocity and free trade were established between Canada and the United States; and the whole of the British North American waters were thrown open, thereby getting rid of a constant source of bickering and disputes which were always giving trouble to the naval commanders on the station, and always tending to interrupt international harmony. Under what circumstances is it now proposed by the Government of President Lincoln to put an end to these treaties which have become incorporated in the public polity of the two countries? In the Speech from the Throne—which, like all its fellows, was not remarkable for disclosing any new facts—we are informed that considerable progress has been made towards erecting the six British North American Provinces into one confederation. This change, I am given to understand, is not made with any intention of weakening or severing the connection with the mother country. But supposing that the confederacy eventually outgrew that connection, and that peaceably and without opposition the child attained to maturity, and a separation should take place between them and the mother country, there is nothing, I feel persuaded, which the new confederacy has less in view than encouraging any idea of amalgamation with the United States. Any attempt to incorporate it would, I am persuaded, be resisted to the uttermost. I believe the feeling is, that they will either remain in connection with this country or become an independent Confederacy; and if I have read or studied the history of current events aright, I believe that one of the objects of the new confederation is to enable Canada better to resist any aggression on the part of the United States, and that the knowledge of this fact, coupled with its tendency to maintain intact the connection with this country, has largely influenced the Government to sanction the project of the confederation. It is not yet formed, but it is just starting into existence; and this is the moment chosen by the United States for tearing in pieces the treaties that consolidate the bond of peace between Canada and the United States, and upon which all tranquillity and good neighbourhood must necessarily rest. The declarations that these are at an end, notified solemnly by the President of the United States, are blows aimed at England as well as at the new confederacy. There may be some hon. Gentlemen who will contemplate without shame or regret the total and entire severance of the connection between England and Canada, and who will say that this country will get rid thereby of a source of much embarrassment, expense, and trouble. I will, however, tell those Gentlemen that Great Britain could not, if she would, cut Canada adrift. I tell those Gentlemen that as long as Canada retains her desire to be connected with this country—as long as Canada retains her spirit and her resolution to be independent of the American republic, so long is England bound by her honour, bound by her interest, bound by every motive which can instigate a generous or a patriotic nation, to sustain Canada, bound to protect Canada, bound to vindicate her rights, bound to guard her whether as an ally or a dependency against the aggressions of the United States. It is impossible that England can shrink from that obligation. The day that she does so my right hon. Friend the Chancellor of the Exchequer may come down to the House, and in his happy phrases, with his mellifluous eloquence, may possibly congratulate this House that we have emancipated ourselves from a source of expense, from the necessity of maintaining large military establishments; that we are driving a thriving trade; he may felicitate the House that we are sending a number of admirably-finished Armstrong and Whitworth guns for the purpose of arming the new naval force of the Americans upon the Canadian Lakes; that Birmingham is sending out a very plentiful supply of fetters and handcuffs to coerce refractory Americans; that there may be a vast amount of commercial prosperity, and that he has the pleasure of announcing that he is enabled to reduce the income tax 1*d.* or 2*d.* in the pound. But, I say, that if ever that day should come, and if ever that speech is made, the whole world will look on the old British oak not only as withered in its leaves, but as rotten at its heart. There is, in fact, no escape from the obligation which binds Great Britain by every tie of honour and national interest to maintain Canada in the position in which she places herself with your consent. And, therefore, I say that this is not merely a question between England and the United States, it is a question between England and Canada. It appears to me that the act of the President of the United States in tearing up these treaties without, as I can see from these papers, any expostulation, any argument, any correspondence, on the subject is an act of such unmistakable hostility that it really amounts almost to a declaration of war. I am sure that in many of the earlier stages of our history it would have been so regarded. Whether it is possible to avert war by acquiescing in acts of flagrant hostility is a question for the determination of Her Majesty's Government. It is possible that the President of the United States has not yet given that formal, legal, if I may use the expression, notice to our Cabinet of his intention to abrogate these treaties. The House will recollect that in both the treaties there was a condition enabling the Government of either country to terminate the treaty by giving six months' notice—just as you turn out a tenant at will if you consider him insolvent. I am not accusing the United States of any absolute infraction of the treaties. I am not accusing them of that. What I accuse them of is an act of hostility in tearing up the treaties on which peace and prosperity depend. If they choose to go to war with us they may. I am not disputing their legal right to tear up those treaties any more than I should dispute their right, if they choose, to go to war. But I say that the one is very much the same thing as the other. The one is necessary to the other, and both are very much in the same category. I may be met by the formal argument—a word I deprecate—that the Government have not yet received formal notice from the American President, and they may therefore ignore the existence of any such intention. But the Government cannot ignore the Message sent by the President in his public address to the Legislature, and the intention thus announced is as much an accomplished fact as if the formal notice had been received. The fact in question may make a difference of a few months in the period at which the termination of the treaty comes into operation; but it is not to be supposed the American President referred to the subject in his Message without intending to carry the notice into effect. I have heard it said sometimes that the Americans are fond of bluster, but that the notice is mere effervescence, and does not mean anything. For myself, I will not pay the Americans so bad a compliment as to suppose they are merely acting the braggart. I will not say they are not a vainglorious people, but they are also a very gallant people, having extraordinary tenacity of purpose, and an immense amount of ambition, as was shown by their contending as they were now doing solely for empire, and by their Monroe policy which prompted them to expel all European rule and influence from the American continent. It would be a piece of wilful blindness to ignore these facts, and to attribute the notice in question to mere bluster and bravado. I have ventured, not with any kind of disrespect to the able Gentleman who conducts the Foreign Department in this House, but I have ventured to put my question to the First Lord of the Treasury. We must all feel that whatever falls from the noble Lord falls with a weight and gravity which no other Member of the House can possess; and this is a question of that urgency and of that national importance which demands his intervention and his special attention. I have only to hope that in answering the Question which stands in my name the noble Lord will be able to give some explanation which may tend to lessen the very aggravated character of this hostile proceeding, which appears to me to be directed against both Canada and this country; and I also earnestly hope, and I believe, that under any circumstances the honour of this country will not be forgotten or neglected by that statesman in whom the whole nation have so much confidence. I now conclude by putting the Question to the noble Lord and moving for the papers of which I have given notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copies of all Papers and Correspondence relative to the notice given by the Government of the United States of North America to terminate the Convention under which England and the United States mutually agreed not to fit out Naval Armaments upon the Canadian Lakes; also respecting the abrogation of the Treaty of Commerce between the Provinces of British North America and the United States by the late Lord Elgin,"—(*Sir John Walsh.*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

VISCOUNT PALMERSTON: Sir, I certainly am not going to follow the hon.

Baronet into a discussion into the present state of our relations with the United States. I do not think that, at the present moment, a discussion of the kind would be at all conducive to the public interests. I will confine myself to answering the Questions which I understand the hon. Baronet to have put. There were two arrangements between Great Britain and the United States—one in 1817, by which the two parties agreed to a limit as to their naval force upon the Lakes. That was not a treaty, but an informal arrangement entered into between the two Governments. There was also the Treaty of 1854, which was a regular treaty, bearing upon the commercial intercourse of our North American Provinces and the United States, and making certain arrangements with regard to the fisheries on the two coasts. We have given all the papers in the possession of the Government bearing on those two points. The House will see by the papers presented that in November last we received an intimation from the Government of the United States that they intended to put an end—as they had a right to do—to the agreement which relates to the limitation of the naval force of the two parties on the Lakes. But it will be seen that this intention was temporary in its nature. It was founded on certain transactions that had taken place on those Lakes, which, according to the Government of the United States, required additional means of defence on their part, and the abrogation of that arrangement was not to be considered as a final decision, but as leaving open the question as to a renewal of the arrangement at a future time. I do not think, therefore, that the House is justified in looking upon the matter in the same light as the hon. Baronet has done—namely, as an indication of intended hostilities on the part of the United States. We cannot deny that things did take place on the Lakes of which the United States were justly entitled to complain; and if the measures which they have recourse to are simply calculated, as they say, for the protection of their commerce and their citizens, I think they are perfectly justified in having recourse to them. With regard to the Reciprocity Treaty, a proposal has been made in Congress to put an end to that treaty by notice, in conformity with one of its articles; but that notice cannot be given, I believe, until the 15th of March—the period at which the ten years will have expired—and therefore no official intimation has hitherto been made to us upon the subject. When that intimation has been made we shall know the grounds upon which the United States Government deem it right, advantageous, and proper to put an end to that treaty; we shall then communicate to the House the information given to us, and the House will be able to judge of the matter for itself. But I entreat the House to abstain at present from discussions which can tend to no good—which can only tend to prejudice the public interests—not to assume gratuitously the existence of hostile feelings which I trust, notwithstanding the language which may be used by individuals in speeches or in newspaper paragraphs, do not animate the general population of the United States. At all events let us not assume it. It will be time enough to deal with the matter when it takes a practical form; but at present let us abstain from discussions which would tend to precipitate opinions and to excite feelings which it is the interest of the two countries to put aside.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Motion *considered* in Committee—Mr. DODSON in the Chair.

(In the Committee.)

Resolved, "That a Supply be granted to Her Majesty."

Resolution to be reported on *Monday* next.

BANKS OF ISSUE.—RESOLUTION.

Banks of Issue *considered* in Committee.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER: I rise, Sir, for the purpose of proposing two Resolutions, which, if adopted by the Committee, will be the foundation of a Bill which it will be my duty to introduce; and I will now proceed to explain in a few words the nature of these Resolutions. But first of all, I will make a few statements which will tend to obviate any misapprehension or exaggeration as to the nature of this proposal. In the first place, this is a proposal which does not bear in any material or palpable manner upon any of the important questions connected with the issue of bank notes. It is not properly to be considered as a currency measure. In the second place, it is not a measure which will in any respect interfere with existing privileges or legal arrangements, except by offering to those parties who may be so disposed the opportunity of modifying their position when they think fit. The Bill will create a new legal position for those banks of issue which may be disposed to avail themselves of its provisions. And here it may be well that I should remind the Committee of the present state of the law with regard to the issue of bank notes in England and Wales by banks other than the Bank of England, as left by the Act of 1844. That Act left the issuers of bank notes in possession of the privilege which they had theretofore exercised, without giving them, however, the assurance of the continuance of its possession for any given time, and imposed upon them a limitation with respect to the quantity of the issues which they were at liberty to make. Connected, however, with the benefit of the power of issue were very serious burdens. Their banking business, which, but for the power of issue, they would be enabled to carry on without any restraints or limitations whatever, was placed by the provisions of that Act under very serious restrictions. What happened has been this. Some banks possessed of the right of issue found themselves so much hampered in the exercise of their banking functions by those restrictions that they have shown a disposition to escape, if possible, from their operation. I think about three or four years ago an application was made to the Treasury, requesting their sanction, in the case of an important issuing bank, for the removal of the banking restrictions imposed by the Act of 1844. The answer of the Treasury to that application was that we could not undertake to reconsider the restrictions imposed upon the banking functions of issuing banks by the Act of 1844 without also reconsidering their position with respect to issue, because the benefit of issue and the banking restrictions were correlative one to the other in the intention of the Act. At a later period a further application was made to me on the part of the National and Provincial Bank. That bank is invested with the privilege of issue to a very considerable amount, and it likewise carries on very large banking operations, which are widely diffused over the surface of the country. The National and Provincial Bank has signified to Her Majesty's Government its willingness and desire to purchase relief from the restrictions of the Act of 1844, by consenting to modify their privilege of issue. Of course, it did not properly appertain to the Directors of that bank to speak on behalf of parties other than themselves; but finding no reason to decline the consideration of the question upon the general basis upon which it had been proposed, I felt it would not be possible to ask Parliament to pass a Bill for allowing that particular bank to place itself in a new position without offering a similar opportunity to such other issuing banks as might be inclined to avail themselves of it. That is a short history of the reasons which have induced me to lay the Resolutions upon the table. Now, what are the leading points of difference between the present position of issuing banks in England and Wales, and the new position that would be created by this Bill for such as may choose to act under its provisions? By the present law a bank in possession of the power of issue is prohibited from the transaction of banking business in London —that is to say, the transaction of business through a regular establishment. It is also prohibited from the issue of notes in London; and if it be a joint-stock bank, it is prohibited from the issue of notes anywhere within a radius of sixty-five miles from London. It is also prohibited, if a private bank, from extending the number of its partners beyond six, and consequently from resolving itself into or amalgamating with any joint-stock bank. The present issuing banks are also liable to the intervention of Parliament, at any moment when Parliament may think fit, for the termination of their power of issue. They have been so liable since 1844, nor have they any title to anything in the nature of compensation should Parliament interpose to stop their power of issue. They are also under a further restriction, which is that they are not permitted to transfer the right of issue which they hold from one issuing bank to another. That valuable privilege of issue to a certain extent is a privilege which they can enjoy themselves, but they cannot carry it over to anybody else. These are the burdens from which the Bill I am now introducing would release any bank coming under its provisions. For example, the National and Provincial Bank—which, I believe, I may with propriety speak of as willing and desirous to come under the provisions of the Bill—would have power to open a banking establishment in London, and to pay any of its notes in London, but not to issue them there, or within three miles of London. It would have power to issue in any other part of England or Wales. Being a joint-stock company, it would be released from any restraint as to the number of partners, and any private bank pursuing the same course would be released from the same restraint. Further, the proposal of the Bill is that the banks coming under its provisions should take what I may term a lease of issue for a given number of years, with a provision that in case Parliament should see fit, upon any grounds of public policy, to withdraw that right of issue, within the term of years so fixed, it should only be withdrawn upon payment of a compensation for the loss which would be sustained by the withdrawal. The banks thus coming under the Act would likewise obtain power to purchase the right of issue possessed by other bankers; and when I said just now that this Bill would not affect the legal status of any persons, except those who place themselves under it, I ought, perhaps, to make a slight correction in that statement, for it would so far alter their status that every one of the existing issue banks would be empowered to sell its privilege of issue to any banks coming under the provisions of the Bill. Finally, in consideration of this lease, the banks coming under the provisions of the Bill, in lieu of the comparatively small sum they now pay as a compensation for the stamps upon their notes payable on demand and for their licence duty, would be required to pay to the State the sum of £2 5*s*. per cent upon the amount of their issues, to be ascertained from time to time in the manner directed by the Bill. These are the principal provisions of the measure which I propose to introduce. There is another provision as to the mode of dealing with this right of issue in the event of the bankruptcy of any bank coming under the Bill; but perhaps that is a point of detail to which I need not now refer particularly. I only mention it as a reason for the Resolution which I shall have to propose, making a charge upon the Consolidated Fund. In the event of the bankruptcy of any bank which has placed itself under the operation of the Bill, it is provided that a certain regulated amount of compensation should be payable to that bank in respect of its right of issue, rather than that it should be dealt with as an asset, which would be attended with great inconvenience; and as such compensation would, of course, be paid at the expense of the State, a provision is necessary making it chargeable upon the Consolidated Fund. I do not know that I have any further explanation to give, and I will only now place before the Committee the first of the two Resolutions of which I have given notice—

> "That it is expedient to make provision for empowering Country Banks of Issue to obtain relief from certain restrictions, upon payment from time to time of a certain charge in respect thereof."

MR. CAVE asked for further information as to the proposed compensation for issues in the event of the bankruptcy of any bank which had availed itself of the Bill.

SIR HENRY WILLOUGHBY thought that sufficient time should be given to every bank of issue to clearly understand the propositions contained in the Bill. He wished to know what steps would be taken to acquaint the banks with these proposals?

THE CHANCELLOR OF THE EXCHEQUER: In answer to the hon. Member for Shoreham (Mr. Cave), I may say that under this Bill a lease will be granted to the bank taking advantage of it—a distinct lease for a term of years. A distinct right, something in the nature of property of a definite character, would thus arise. If that be so, and such a bank became bankrupt, *primâ facie* that right of issue, during the remainder of the term, ought to become an asset available for the benefit of creditors. But there would be considerable public inconvenience in making it an asset purchasable by anybody, for thereby new issuers would be introduced into the field, and Parliament would have no opportunity of judging of the character of those parties. I do not think that Parliament would desire that the privilege of issue should be made an instrument for the starting of new bodies in that description of business. On the other hand, if we were to say "this is an asset, but it shall be only purchasable by those who are lawful issuers already," the practical effect would be to deprive that asset of all advantage. That being so, the most convenient course seemed to be to provide by law that the right of issue should not be treated as an ordinary asset, but that the assignees in bankruptcy should receive in respect of it a regular amount of compensation, payable on the same principle as the compensation now given to the banks surrendering the privilege of issue.

Mr. CAVE: But surely—and become valueless? The right of issue would lapse upon bankruptcy?

The CHANCELLOR of the EXCHEQUER: No doubt it would lapse. The matter is one which may, perhaps, be more conveniently considered hereafter, and it is entirely collateral to the main objects of the Bill; but if we constitute this leasehold interest, I think we ought, in fairness, to provide that it shall not become wholly valueless to the lessee simply on the ground of bankruptcy. In answer to the hon. Baronet the Member for Evesham (Sir Henry Willoughby), copies of the Bill will be ready for distribution upon the Report of the Resolutions; the second reading will be taken on an early day; and I should only propose to go into Committee after two or three weeks, so that time will be afforded for the consideration of these proposals. As I have said, it is entirely a voluntary Bill; but, of course, it is desirable that the provisions of the measure should be clearly understood, and that all those who are invited to come under it should have the opportunity of considering whether it is well adapted to effect the object in view.

Motion *agreed to.*

1. *Resolved,*—That it is expedient to make provision for empowering Country Banks of Issue to obtain relief from certain restrictions, upon payment from time to time of a certain charge in respect thereof.

2. *Resolved,*—That any compensation payable by the Bank of England to any such privileged Bank for the determination of its right to issue Notes shall be repaid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

Resolutions to be reported on *Monday* next.

LORDS COMMISSIONERS' SPEECH.
HER MAJESTY'S ANSWER TO THE ADDRESS.

The COMPTROLLER of the HOUSEHOLD (Lord Proby) *reported* Her Majesty's Answer to the Address, as follows:—

"*I have received with much satisfaction your loyal and dutiful Address.*

"*I thank you for the assurance that your earnest attention will be given to the measures of public usefulness which will be submitted for your consideration; and you may rely on My sincere co-operation with you in promoting the happiness and prosperity of all my Subjects.*"

BANK OF IRELAND (CONSOLIDATED FUND).—RESOLUTION.

Bank of Ireland (Consolidated Fund) *considered* in Committee.

(In the Committee.)

The CHANCELLOR of the EXCHEQUER: Sir, the effect of the Resolution which I have now to propose is that remuneration of the Bank of Ireland for management of the Public Debt in Ireland should be paid out of the Consolidated Fund after the 6th of April, 1865. Upon this Resolution, also, there will be founded a Bill, and that Bill has two objects. The first is to introduce into the arrangements between the Government and the Bank of Ireland those regular and approved principles which have been applied in the arrangements between the Government and the Bank of England—that is to say, instead of taking service from the Bank and placing a privilege against it as a set off, the Bank of Ireland will in future receive payment in money from the State for whatever services it performs. But it is not for a mere rectification of accounts alone that the Bill is introduced. That is all, indeed, which is involved by the Resolution. But the nature of the Bill is best explained by the correspondence which has been laid upon the table, and was circuculated yesterday morning. It will be noticed that the Bank of Ireland has applied to the Government urging that they are insufficiently remunerated for their services, and that changes have taken place in the state of public accounts, kept by the Bank, which are of such a nature as to entitle them to ask for a modification of their existing arrangements. Upon examination, I find that the allegations of the Bank of Ireland are well founded, and that the demand for an additional charge on the public is just and reasonable. I will not trouble the House with details, unless difficulties should arise on any stage of the Bill, because if any Gentleman spends ten minutes in reading the correspondence which has taken place, he will become entire master of the subject; but the practical effect of the Bill will be this—that while, on the one hand, the interest on the loan from the Bank of Ireland to the State will be reduced to the same rate as is paid on the loan from the Bank of England, we shall, on the other hand, pay a regulated sum to the Bank of Ireland for the management of that portion of the National Debt which has its seat in Ireland, and the Bank of Ireland will receive between £4,000 and £5,000 from the State more than it does now. The public will, of course, be burdened to that extent; but those who have given attention to the correspondence will see that the claim made by the Bank of Ireland is a fair and just claim, and I am bound to say, without disparagement to the Bank of England, which well knows how to conduct all its business in a first-rate manner, I am not aware that the Government have, in respect to any body of any description with which they have relations, greater reason for satisfaction, and for acknowledging the fairness and fidelity with which all the requisite duties are performed, than they have in the case of the Bank of Ireland. The right hon. Gentleman concluded by moving the following Resolution:—

"That it is the opinion of this Committee that the remuneration to the Bank of Ireland for management of the Public Debt in Ireland should be paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland from and after the 6th day of April, 1865."

After a few words from Sir HENRY WILLOUGHBY,

Motion *agreed to.*

Resolved,—That it is the opinion of this Committee that the remuneration to the Bank of Ireland for management of the Public Debt in Ireland shall be paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland from and after the sixth day of April, 1865.

Resolution to be reported on *Monday* next.

COURTS OF JUSTICE BUILDING BILL.

BILL ORDERED. FIRST READING.

THE ATTORNEY GENERAL, in moving for leave to introduce a Bill on this subject, said, that he hoped the time had now arrived when Parliament would be prepared to remove those material obstacles which had so long obstructed the administration of the law in this metropolis, and to provide the Courts of Justice with a local habitation worthy of the dignity of the country, and of the important duties they had to perform. It was a common thing in this country for questions of great national importance to take a considerable time before they were thoroughly understood, and the present subject was no exception to that rule. It had been before the House and the country, from time to time, for a period of very nearly thirty years, and it was not a little remarkable that the first person who brought it prominently forward in that House, both on the ground of public convenience and public economy, was not a lawyer, but was that veteran reformer and economist, the late Mr. Joseph Hume. Soon after the destruction of the Houses of Parliament, in the year 1836, Mr. Hume took notice of the absolute inadequacy in all respects of the Courts of Law at Westminster, observing that it was impossible to provide suitably for the requirements of the public service for those Courts on their existing site—that the convenience of the public required that all the Law Courts should as far as possible be brought together on a single site—and that the site should be a central one, and in the neighbourhood of those by whom the business of the law was practically carried on. The case which he should have to state to the House in greater detail was thus anticipated by Mr. Hume in a few short sentences. From that time till the present constant and unremitting attention had been given to the subject by those members of the legal profession who were best able to bear testimony to the inconvenience of the state of things; most searching and prolonged investigations had taken place; and that House had on three several occasions appointed Committees to inquire on the subject—namely, in 1841, 1845, and 1862. Those Committees, and especially the first of them, brought together a valuable mass of evidence of great weight and authority. A Royal Commission was appointed in 1860, composed of persons of high eminence, among whom were Sir John Coleridge, Sir George Lewis, Vice Chancellor Wood, and the present Queen's Advocate. They made a complete examination of the whole subject, and presented a Report of the most convincing and satisfactory character, recommending that measure, which he hoped was now to be proposed for the last time, and with success, for the adoption of the House. Let him advert shortly to the nature of the evils which, by the contemplated concentration of the Courts of Law, it was intended to remove. In the first place the actual accommodation afforded by the existing Courts was in all respects insufficient and inconvenient. The Judges were not provided for with due regard to their dignity and the convenient discharge of their duties. The number of Courts was not sufficient for the business to be done; the Courts themselves were not of sufficient capacity; the passages were not sufficient; and the accommodation for the Bar, solicitors, witnesses, and jurors, (not to speak of the public), was altogether inadequate. This state of things had been the cause of constant complaints for thirty years, and during that time the evil had been increasing, in consequence of the augmentation of the business of the Courts, arising partly out of improvements in the administration of the law, and partly from other causes. The Divorce Court and Admiralty Court had recently been added to the other Courts at Westminster, and he was told that the Divorce Court was attended by a very large number of persons, and so utterly was it without proper accommodation for the witnesses, that even delicate ladies were compelled to pace the stone pavement in Westminster Hall, waiting till they were summoned to give evidence. That was far from an exaggerated description of the state of things at Westminster. Now let him advert to the Courts of Equity in Lincoln's Inn. In that place there were two Courts of Appeal, three Vice Chancellors' Courts, and in Chancery Lane there was the Court of the Master of the Rolls. Not the best of these approached to the condition proper for a court of justice, especially since trial by jury had been introduced into Chancery. In truth, there was no adequate accommodation for the persons attending upon business, and this was particularly the case in respect to counsel, jurors, and witnesses. The additional Vice Chancellors had ever since their appointment been lodged only in hovels, for he could call the structures nothing else. He was told that the Courts at Guildhall were not much better, if they were not worse, and he believed that some of his learned friends, better acquainted with that part of the subject than himself, would be ready if necessary to inform the House with respect to it. So much for the want of accommodation in the Courts; but that was the least part of the evil, and now let him take another branch of the subject. The dispersion of the Courts, and their separation from the offices, led to the loss of time—and time, as they all knew, was money. The delays, and the vexations which arose out of those delays, were greater evils even than those proceeding from insufficient accommodation. The practitioners in that branch of the law with which he was most conversant—namely, the equitable branch—found the inconvenience so intolerable that in 1849 they prevailed on the Equity Judges to withdraw from Westminster Hall, and those Judges now sat both in and out of term at Lincoln's Inn. But their brethren of the common law continued to the present day to labour under the whole of that system of inconvenience from which the equity bar had now for some years been relieved. There was a large and important body of the profession who had much business to do in chambers and also in court, and they were put to great inconvenience by having to wait about Westminster Hall until the cases in which they were engaged should come on. In the evidence which he gave before the Committee of 1841, Mr. Baron Martin, then at the bar, drew a most pathetic picture of the state of things in that respect, showing how he had often to remain at Westminster Hall doing nothing when he had a mass of business requiring his attention at chambers, and he expressed his opinion that Westminster Hall was the idlest place in the world. In 1860 Sir George Honyman mentioned that he had at an early period of his professional career attended ten or eleven days with a two-guinea brief in Westminster Hall, while the business of many clients at the Temple was necessarily neglected in consequence. Of course the House would see that the clients—that is the public—as well as the barrister, suffered from the great delay and waste of time arising from the dispersion of the courts and their separation from the chambers of the Bar. But the solicitors, a still more numerous and not less important body, were in a much worse case than the Bar. The Bar had business at Lincoln's Inn, and the Temple, and also where the courts were sitting; but the solicitors, to whom and to their clients it was of the utmost importance that their business should be transacted with dispatch, had business almost everywhere, in the courts and in the offices of the courts, at Westminster Hall, at Guildhall, at Lincoln's Inn, at Chancery Lane, at the Temple, at Serjeant's Inn, and at several different offices, in all of these places each ingeniously cut off from the rest and put into corners. How immense, then, the loss of time and money which must result from the necessity of going about to all these different places. He would quote a few words from the Report of the Commission of 1860, in which they summed up in a most forcible way the effect on the public interest of that evil. After observing that everybody suffered, the Judges, the barristers, the jurors, the witnesses, and others, the Commissioners said—

> "But of all these parties none is ultimately so largely interested as the public itself . . . Of all the elements of expense in litigation there is none more important than time; of all the sources of vexation attendant on it there is none more bitter than unnecessary delay. If court be separated from court, and courts be at a distance from their offices; if these last be separated from each other; if both are at a distance from the chambers of barristers and the offices of attorneys and solicitors, it is obvious that time must be lost in the transaction of business, at every stage of it, by every one concerned in it."

It was, however, unnecessary to dwell further on the nature and extent of the evil he desired to remove, and he would at once turn to the mode in which the Government proposed to deal with it. The remedy was, of course, obvious, because the mere description of the evil itself was enough to suggest that remedy. The courts must be all brought together, with all their various offices, and be placed in immediate proximity to the chambers of the barristers, and to the chambers of the greatest possible number of the solicitors. They must be brought, in fact, to that place, where the whole circulation of the profession had its centre, and that, undoubtedly, was in the immediate neighbourhood of the Inns of Courts. In favour of that view they had the testimony of Lord Cottenham, Lord Langdale, Sir L. Shadwell, Sir J. Wigram, Master Farrer, Lord Chief Justice Erle, and Mr. Baron Martin, and other scarcely less distinguished persons; as also that of Mr. Freshfield, and all the most eminent solicitors. Indeed, every solicitor in London and the country had been urging this change upon them for many years, for it was a remarkable fact that the whole body of solicitors were unanimous on that subject. They and their clients knew best where the shoe pinched; and if they all agreed in telling the same story it was clear they could not be mistaken on such a matter. So much for the necessity of concentration. The next question was, on what site ought the concentration of the courts and their offices to be effected? There had, in truth, been only three sites proposed for consideration. He would say nothing about that of the Rolls estate once mentioned, because that had been proved to be altogether inadequate. One was the old site of Westminster Hall, but a few words would suffice to dispose of that. Even if they could there obtain space for the requisite accommodation for offices for the courts, and for the necessary improvements of the courts, they would only be continuing and perpetuating the evil of the present dispersion, because they could not take the Temple and Lincoln's Inn to Westminster Hall, but they might have the courts near to those two places. Some persons objected to remove the courts from Westminster, because the associations of the past, both historical and legal, would be lost. The present courts, however, were not remarkable for very venerable characteristics, and putting those associations at their highest value they could not be permitted to stand in the way of the public interest and convenience. It is said that a Turkish commander once gave fifteen reasons why he did not give a salute, the last of which—namely, that he had no powder—would have of itself been more than enough. So in this case, the want of space alone completely disposed of the claims of Westminster Hall. Sir Charles Barry told the Committee that it was an utter impossibility by any conceivable means to obtain space for the expansion that was required, so it was idle to enumerate the other objections to that plan. Then they came to the Lincoln's Inn Fields site. That was first agitated in 1841, and it had been proposed to put the buildings in the centre of the open space there. But there was a great deal of weight in the objection taken by Lord Campbell and other high authorities to that site—namely, that, even if it were adequate for the purpose, they would be blocking up one of the lungs of London, and depriving the metropolis, in a district that could ill bear such a loss, of a great open space for the free circulation and purification of the air. Moreover, the offer made was of a complicated and unsatisfactory kind. The proprietors were willing to give up three and a half acres and no more in the centre of the square, a space much smaller than was necessary for the object in view; and, besides, they stipulated for a great number of improvements in the streets in the neighbourhood of the square, the cost of which might have been £500,000 or

£600,000, or not much less than that of the site which it was now proposed to purchase. Yet when that had been done the public would not have had all that they wanted. It was said, indeed, that they might afterwards buy up the neighbouring houses if the new buildings were found insufficient and required enlargement; but then they did not know what they would have to pay for them, and no doubt such property, already sufficiently valuable, would become dearer on account of the new courts which would have been erected near them. But, further, to the common-law lawyers living in the Temple it was obvious that Lincoln's Inn Fields would be far less convenient of access than the site which he was about to mention, and which the Government, under the advice of the Commissioners, proposed to purchase. He referred to what was known as the Strand site, a large space of seven and a half acres—for they were determined not to be cramped in this matter—covered with houses of the lowest description, and situate between Bell Yard, immediately to the west of Chancery Lane, and Clement's Lane, which ran down from Carey Street to the Strand near the corner of Holywell Street. They proposed to clear the whole of that space, from the Strand on the south to Carey Street on the north, and upon that area to bring together all the courts and all their offices, with every species of accommodation that could be necessary for all the purposes of the administration of justice. With reference to the important question of the cost to be incurred, the House had shown itself—he would not say unreasonably—jealous on a former occasion as to the cost of that work, and it had desired that the Government should take every care to satisfy themselves that the estimate prepared was one on which reliance might be placed. He thought he might tell the House that it could rely on the estimates he was about to mention. Sir Charles Barry, and Mr. Cadogan, a surveyor on the spot, had valued the property house by house in 1845; and in 1860 they went into the matter again, and repeated their belief that a valuation might be trusted which placed the total cost of the site, to be taken under the usual compulsory powers, including compensation, at £675,000 and some odd pounds. In 1861 it was valued by Mr. Abraham, who gave evidence upon the subject, at £678,000. Since then Mr. Pennethorne, the Government surveyor and architect, had again valued the property, having previously carefully gone over it house by house, and his estimate of the cost of the site was £703,000. The House might therefore confidently believe that that estimate would be about the actual cost of the site. With regard to the expense of the buildings, the estimate was £750,000, and they took the total cost of the site and buildings, in round figures, at £1,500,000—a considerable sum of money, undoubtedly; but a sum which, he thought, would be well and economically spent if they obtained for the nation so great an improvement as their proposal contemplated. Before referring to the means by which it was proposed to supply that amount of cost, he would advert, in passing, to the only competing scheme which for some years past had been before the country and the House. In 1859 the Government of Lord Derby thought it right to entertain a proposition made by the Society of Lincoln's Inn. The proposal was to build two new Courts of Equity at a cost of £100,000, for which they were to receive £4,000 a year, the country, in fact, being their lessees. The House would readily believe, that from his knowledge of that Society he would speak with all respect of them and their proposals. They had deserved well, he thought, of all who had any regard to the administration of justice in the country, because for many years they had given, not very good accommodation, for that they had not to give, but such as they could give upon their own ground, when the country did not provide that accommodation; and now they were actuated, no doubt, in the proposal they made by the most liberal and proper motives, but not unnaturally, also, by some regard to their *esprit de corps;* but the effect of their proposal would be that the courts of equity would be domesticated for at least a century longer, and probably for ever, in Lincoln's Inn. That scheme, he ventured to say, laboured under two very great vices: in the first place, it did not sufficiently provide even for the courts of equity and the offices connected with them; and in the second place, it tended to perpetuate the separation between the courts of law and equity. The scheme would therefore only provide a partial remedy for one existing evil, and would perpetuate the other. It left the courts of the Lord Chancellor, the Lords Justices, the Rolls, and the senior Vice

Chancellor exactly as they were. It left all the offices connected with the general administration of the Court of Chancery exactly as they were. All it offered to do was, to build two courts for two Vice Chancellors, with the conveniences necessary for their accommodation, and also chambers for them and the third Vice Chancellor. It did not propose to bring all the courts of equity and their offices together, or to remedy the evils of dispersion which now existed. As to the offices, there was a great waste of time and money by their separation, and if they were all brought together the work would be done more cheaply and quickly. Mr. Rogers had given valuable evidence on this subject before the Commission of 1860, showing that the offices of the Registrars, the Accountant General, and other offices were altogether insufficient, and that it would very much facilitate business if all those offices were brought under one roof. Mr. Parkinson, chief clerk in the Accountant General's office, stated that the present accommodation was altogether inadequate to the business; the books were not secure from fire; and on that site it was impossible to have additional accommodation. The Lincoln's Inn scheme, even for the courts of equity alone, was therefore a mere palliative, and would rather increase the evils which dispersion now produced. It was also a fatal objection to this scheme that it tended to perpetuate what was in itself a very great evil—the separation of the courts of law and equity. The whole tendency of modern policy had been to obliterate all that was arbitrary in the distinction between law and equity, to communicate to the courts of equity such of the powers of the courts of law as could properly be transferred to them, and to the courts of law such of the powers of the courts of equity as they could safely wield. In point of fact, the distinction between these two great branches of our jurisprudence was becoming less and less every year. An approximation and readjustment of their respective powers was continually going on, and in order to make the reforms so sought to be accomplished work well, it was necessary that, as far as possible, the administration of law and equity should take place in courts placed near to each other. The greatest authorities had lamented the division and separation which now existed. Lord Langdale, Sir James Wigram, and Chief Justice Erle, had all expressed the opinion that nothing could be more valuable to the proper administration of both law and equity than to have increased facility of communication between the Judges, as cases in which such consultation was desirable were continually arising. Mr. Sutton Sharpe, a man of great eminence as an equity practitioner, said —

> "I think it would tend greatly to the proper administration of justice that all the courts, both of law and equity, should be together in one place. I think the separation that has taken place, particularly of late years, between the courts of law and equity has been very injurious to the administration of justice."

And he described the effect of the courts of law and equity sitting in different places as having been to make the members of the Bar who practise in courts of equity almost members of a different profession from those who practise in the courts of law, very little communication now taking place between the members of the Bar of the two courts. He thought, upon the whole, that the House would adopt the view of the Commissioners, who thus disposed of the Lincoln's Inn scheme—

> "The Lincoln's Inn scheme is founded on the principle of making permanent the present separation of the equity courts from those of the common law and all the branches of the administration of justice. . . . . It is, therefore, inconsistent with the recommendations which we think it our duty to make; and not only so, but it will, if carried into effect, certainly postpone, for an indefinite period, if not practically extinguish, all hope of the general concentration, to which we attach so much importance."

He hoped the House would not give encouragement to a scheme of that character. He now came to the question of the ways and means by which the money required for the work was to be provided. First of all he would apply himself to the finance of the matter, and then deal with some questions of principle which some persons thought were involved in the financial arrangements. They required to provide a sum of £1,500,000, though it was not expected that all that sum would be spent, but they took that amount in order to afford some margin. Of that sum, £900,000 was to be provided by £1,000,000 of stock taken from a certain fund in Chancery, called by the Commissioners in their Report the "B Fund." Then the Government, in respect of sites liberated and rents paid for other offices which would be saved, proposed to pay £200,000, the estimated value of the saving to the public. These sums would amount to £1,100,000, and there would remain £400,000, which was proposed to be advanced by the Treasury at 3¼ per cent, the repayment being spread over fifty years, and being provided for, upon the principle of a redemption annuity, by means of small fees to be levied on proceedings in all the courts — other than the Court of Chancery—which would benefit by the change. The question of principle to which he had referred had relation to the use of the funds in Chancery, but he did not think the House would have much difficulty in dealing with the principle involved. It was not proposed to appropriate the whole of the funds in question, because there were charges now imposed on them which it was not intended to transfer to the public purse, and which charges would have to be paid out of the residue. There were two Chancery funds in substantially the same position, firstly the surplus interest "fund B," which consisted at the present time of £1,291,629 of stock, and secondly, the invested surplus fee fund, which amounted to £201,028, making a total of about £1,500,000 stock. From that they proposed to take £1,000,000, and the first question was, had they any right to take this money? He thought that there could be no doubt that they had a perfect right to take that fund for the purposes of this measure. Its history was this. The House knew that besides the ordinary litigious business of equity the Court of Chancery administered a vast mass of property. As much of this property as consisted not of land but of money was from time to time paid into Court; and, of the sums so paid in, by far the greater part was invested in stock on account of the suitors at their request; and the stock so purchased was in all cases carried to the separate credit of the parties entitled to it. That fund was continually increasing in magnitude, and in October, 1863, amounted to no less than £51,292,000 and odd. That was suitors' stock, and with it he had nothing to do on this occasion. But the same process which brought in that enormous quantity of money, which was so invested, brought to the Court a considerable, though much less, further amount, which was not invested in stock, but which stood as cash to the credit of the suitors' account. These sums might be required from time to time by suitors, or they did not wish to take the risk of investing them in stock, and they were, therefore, in the position of cash which the Court of Chancery held as a banker would hold the balances of his customers. There was thus always a considerable sum of cash in the hands of the Court of Chancery, just as a banker held the money of his customers to be paid at call, to the amount deposited, neither more nor less; and in October, 1863, it amounted to £2,799,608. The Court authorized by the Legislature, and as the instrument of the State, being thus in the position of a banker, found it desirable to manage this money on banking principles. Accordingly, in 1739, when the attention of the Legislature was first directed to the financial business of the Court of Chancery, Parliament authorized the commencement of a system, which had since gone on from time to time, of investing so much of this cash fund as it was not deemed necessary to keep at call. A cash balance, sufficient to meet the probable demands of suitors, and to remunerate the Bank, was always kept at the Bank of England; and the Court, or rather the Government, represented by the Court, invested the rest at its own risk. In October, 1863, there was thus invested £2,820,702, representing £2,464,744 in cash, and there was also £300,000 at the Bank on call. The former sum was invested at the risk of the State, and the income from that investment clearly belonged to the State. It was a banking profit legitimately earned, and was the property of the State just as much as Crown lands or any part of the revenue derived from taxation. No suitor, at any moment, had a right to a shilling of the income derived from the investment of that cash. Parliament, no doubt, had always applied the money in question to purposes connected with the administration of justice, but that was not because there was any obligation so to do arising from individual claims upon it, but simply on the sound and just principle that money raised by the machinery of justice was best and most fitly applied to the costs of the administration of justice. It was from the accumulation of banking profits thus acquired that it was proposed to take the £1,000,000 of stock of which he had spoken. In asserting that no suitor had any right to the money he might fortify himself by the statement of the Commissioners, who in their Report said—

> "Not one single suitor has ever received anything beyond the cash actually paid into Court,

or has claimed any portion of the profit to which we are referring. This conclusively proves that such profit was never considered to be the property of the suitors, either by the Court or by the suitors themselves."

That statement was applicable to the whole period from 1739 to the present day, and the State had always used the fund as its own, and the stamp of its dedication to the general purposes of the State, in connection with the administration of justice, was set upon it almost as soon as the fund was created. As early as 1774, six years after the commencement of the fund, Parliament resorted to it to pay for the erection of the Registrar and Accountant General's offices, and the Act sanctioning that application of the money specially recited that it was unappropriated, and that it would be no injury to the suitors of the Court if the same should be employed towards raising a fund for rebuilding and erecting the offices in question, and for the purchase of ground necessary for such purpose. If that would properly be done in 1774, why could it not be done in 1865? Again, in 1791, the Master's offices, and, in 1810, the Examiners' and other Chancery offices were paid for out of the same fund; and other charges, such as, if he was not mistaken, the Lord Chancellor's salary, and various pensions and compensations, were placed upon it. He mentioned these things because some eminent persons had suggested doubts as to the propriety of the proposed application of the fund. He would not attempt to conceal from the House that objections to it might be found in the evidence of such distinguished witnesses as Lord Cottenham, Lord Langdale, Lord Justice Turner, Vice Chancellor Wood, and Sir John Romilly—he might also add, that of Mr. Johnson, solicitor to the Suitors' Fund. There seemed to be in their minds a sort of affection for the suitors in Chancery over other suitors. The opinions of those distinguished Judges, Lord Cottenham and Lord Langdale, were stated just before the time when very important changes and improvements were effected in the Court of Chancery. The Six Clerks' office was about to be abolished, and other measures were about to be taken which would involve large compensations. There was, therefore, at that time a large demand for money, and one could not be surprised that those noble and learned Lords should have looked with apprehension on any proposal which would then have had the effect of reducing those funds. But Lord Cottenham, Lord Langdale, and, he might add, Lord Justice Turner and Vice Chancellor Wood agreed that those funds might be legitimately expended for anything that would benefit the suitors in the Court of Chancery. They objected to take anything from them for the benefit of litigants in the courts of common law. Now that was a point which the House would have to consider. Those learned Judges said that in their opinion what ought to be done was this—those funds should be kept in Chancery, and ultimately, when the compensations fell in, and the funds became free, they should be used for the reduction of Chancery fees. Sir John Romilly did not quite go with them in their distinction between the claims of law and those of equity. He (Sir John Romilly) said that what had been formerly done was, in his opinion, wrong; that no courts or offices at all ought to be built out of any part of this money; but that if they built anything at all they might as well build courts of law as courts of equity. In short, Sir John Romilly objected to the fund being applied to the building of any courts at all. Lord Justice Turner thought that Parliament by its action had dedicated those funds to purposes connected with the Court of Chancery, that they were all held in a sort of Parliamentary trust for Chancery, and ought not to be interfered with. In answer to that observation of the Lord Justice, he would respectfully say, that, if Parliament had made such a dedication, it was quite competent to Parliament to alter that arrangement and make another. The Court of Chancery was only one of the branches of a general system for administering justice, and Parliament was perfectly competent—not only legally, but morally—to make such a change. But, in fact, there was no such appropriation as that which was contended for by those who took the view to which he was now referring. It was not till 1852 that any part of the income of these funds was ever carried over to the Suitors' Fee Fund; and, so far from the action of Parliament observing any uniform distinction between law and equity, he found that at that remarkable epoch when it became necessary to provide for the defalcations in the time of Lord Macclesfield, fees were imposed upon all writs issued in the Common Law Courts, and in all other courts throughout the kingdom, although the money to be raised by means of those fees was exclusively due to Chancery suitors. By some of the authorities the Chancery suitors were looked upon as a *quasi* corporation, or as a sort of abstract idea; but if he were the ghost of a departed Chancery suitor, he would say, "What have I to do with the appropriation of the money? You don't propose to give it to me. If you give it to my representatives I will take it; but if the suitors of the present day or the future are to have it, I have nothing to do with them." If the money were to be given to the old suitors who had contributed the sums invested he could understand it, but they could not have, and were not to have it; it was the suitors of to-morrow that were to reap the benefit by a reduction of the Chancery fees. He could not help thinking that the remarks which the Commissioners had made on this branch of the subject would commend themselves to the House. They had felt it necessary to give it a very careful consideration in consequence of the eminent position of the persons by whom the objection had been put forward, and they said—

> "The argument is founded upon a distinction between courts of equity and courts of law, for which there is no just or solid foundation. All the courts, and all the branches of each court, form together one great system of administering justice, in which all the subjects of the realm have a common interest, and to which, therefore, any funds, from whatever sources derived, if those funds are at the free disposal of Parliament, may be legitimately applied; and we think this may be more confidently affirmed at a time when the tendency of legislation is to assimilate the courts of law and equity, by an attribution to each of powers and functions hitherto exercised exclusively by one of them. If the fund is not the property of the suitors in Chancery, if it is the mere child and creature of legislation, surely it is for Parliament from time to time to decide in what manner and for what purposes it can be most usefully employed. The past application cannot fetter the discretion of Parliament as to the future. . . . The suitor in Chancery of to-day may be a suitor at law to-morrow, and next week or next month his property may become the subject of disposal by the Court of Probate. The broad principle which we have thus stated—*i. e.* the substantial identity of all the courts, as component parts of one great system for the administration of justice—has been on several occasions emphatically asserted, and practically enforced and acted upon by Parliament."

That, he was sure, could not be controverted. It was reasonable, it was wise, it was just; it interfered with no man's rights, and it was an answer to an argument that had more in it of superstitious reverence for forensic and formal distinctions, than of any better foundation. But putting aside that answer to it, what was the argument? That there should be such an application of the fund as would be beneficial to the suitors in Chancery. Well, this was an application of the fund more beneficial for those suitors than that which those who made the objection contended for. They proposed that those funds should be kept in reserve for the reduction of fees hereafter. Let them see what relief could be afforded to the suitors in this way. The fees levied in Chancery amounted to something over £100,000 a year, and it had been proved in evidence that this sum was only about 8 per cent of the total cost of litigation. The House would see that the funds with part of which he proposed to deal amounted in the whole to a million and a half sterling, which would produce only £45,000 per annum, or not half the amount of the entire sum derived from fees; so that if the whole income of those funds were applied to the reduction of the expenses of litigation, they would only reduce it by less than 4 per cent. It was only in 1852 that for the first time anything was done by Parliament upon the footing of applying the income of the Surplus Interest Fund for the reduction of fees; and they might now ask themselves, before making any further appropriation, which would be the better application even for the suitors in Chancery—not to talk of what would be beneficial to suitors in other courts, and to the public generally—which would be better in a pecuniary point of view, to build courts, or reduce the costs of those suitors by something less than 4 per cent? Who were the best judges of that question? The solicitors. The Master of the Rolls said that with respect to the question of delays, obstructions, and impediments to the administration of justice, caused by the present position of the courts, he did not pretend to be so competent to judge as the solicitors. They were spread through the country, they were in constant communication with their clients, and they were interested in having the business of their clients performed in the most efficient manner possible. The House could have no doubt that, independently of the value to be attached to their opinion as men, generally of high character, from the nature of their practice they were the best judges of the pecuniary value of a measure such as that which he was about to propose. And what did they say? Did they think that taking 4 per cent off the costs of suitors in the Court of Chancery would be a greater benefit to them, than the concentration of the courts of law and equity? Quite the reverse. He should quote from the evidence of Mr. Lake and Mr. Field on this point. He thought every one must admit that Mr. Lake was well qualified to speak on the subject. He was a superior man of business, and besides being a man of experience and ability he brought to the consideration of such a question a just and candid mind. Mr. Lake said —

> "Then comes the question, which is most for the benefit of the suitors? . . . . I think there cannot be a doubt that it is less for the benefit of the suitor to abolish all official fees than to enable his solicitor to attend to his business in a proper way. . . . . In my opinion a suitor would save ten times over the amount of any benefit he would gain if all the court fees were taken away. . . . . No practical man can entertain a doubt about it for a moment. The suitor would gain far more by the concentration of the courts and offices. . . . That is a much higher duty; it would confer a much greater benefit upon the suitor, and is much more the duty of the Government."

Mr. Field said —

> "You must judge of the interests and views of the suitors through their solicitors; and you would find it very difficult to find a dozen solicitors in London, or in the country, who have had anything to do with the transaction of business in the courts, who would not agree that it would be a great gain, and a capital bargain to their clients, if, for the sake of £30,000 a year, they could get such a result."

Mr. Field estimated the whole property of the suitors under the management of the Court of Chancery at any one time at £1,000,000 per annum, and then he said that the value of each judicial day saved to the suitors by the proposed change would be £25,000. That was evidence representing, in its general effect, the unanimous opinion of the entire body of solicitors, and he believed that body were more competent to give an opinion upon the subject than all the Judges and the barristers put together, and he was sure their evidence on the subject could be trusted. The machinery of the Bill proposed on these grounds, and in this way, to deal with the existing funds; and the Legislature would be asked to guarantee the suitor's interest against every risk which might be supposed to arise from the withdrawal of the fund. At the same time that risk would be merely nominal, for, in the first place, according to all experience the income of the Court of Chancery would most certainly continue to increase; and secondly, unless all the cash were withdrawn simultaneously—an event impossible to occur unless the country were in a state of convulsion—and all the stock were sold under 87 per cent, there could be no deficiency in the invested fund, which would remain untouched, to represent (as at present) the suitors' cash, with which it had been purchased. Since 1787 there had been seven occasions only when there had been any necessity to sell stock out of that fund; and these occurred between the years 1844 and 1857. The sales then made were made merely for the purpose of keeping up the cash balances at the Bank of England, at an amount sufficient for a reasonable profit to the Bank, as well as to meet the demands of the suitors. The guarantee, therefore, was purely nominal, although necessary for the purposes of justice; and if there should be a deficiency, Parliament would pledge the Consolidated Fund to make it good. The whole annual charge upon the income of the funds operated upon by this Bill amounted, at the utmost, to no more than the whole of that income—namely, £45,000. At the beginning of the present year the annual charge for the terminable compensations payable out of the income of these and the other funds in Chancery amounted to £50,469, and they were falling in, as proved by an average of eight years, at the rate of £3,500 per annum. That charge for compensations more than covered the entire income of all these funds. Therefore, if they provided for these compensations they more than provided for the whole of the annual charges upon the funds which they would withdraw, even if the whole £1,500,000 stock were eventually withdrawn. Mr. Finlaison had expressed his opinion, without knowing the ages of the different recipients, that it would probably take £380,000 to capitalize all the compensations, but taking it at half a million —the outside—to provide for that they would have half a million of stock, equal to £450,000, taking it at 90, and a further sum of about £100,000, the uninvested surplus of the Suitors' Fee Fund, which would leave £41,000 surplus, after paying the capital value of the whole £50,000 compensations, upon the extreme valuation. On the other hand, supposing the compensations were not capitalized, the annuities would run off to the extent necessary to equalize income and expenditure, in eighteen years, leaving £154,000 surplus. These reserves would, therefore, be more than sufficient to meet the whole of the charges upon the fund. In addition to this there would also be, when the operation was completed, a considerable benefit to suitors through the reduction of fees, amounting probably to about £15,000 per annum. Under such circumstances, he was sure the House would feel that the present Bill was entirely free from the objections which were made by the Lords of the Treasury and by other persons to the Bill of 1861, at which time there had been no careful inquiry into the estimates. One main objection to that Bill was, that it proposed to throw upon the Government and the people all those annual charges which were by the present Bill provided for, as he had described, out of the £500,000 stock, which was reserved, and not proposed, except for that purpose, to be withdrawn. The £200,000 to be provided by the public was the estimated value of the rents which would be saved, and of the land rendered vacant by the removal of the existing courts and offices; and therefore there only remained the sum of £400,000, which was to be provided for by means of small fees upon proceedings in the courts, other than Chancery, which would be accommodated in the new buildings. About one-half of these fees would probably be imposed upon common law proceedings, and about the other half on those in the Probate and Divorce Courts. The precise amount of those fees, and the manner of levying them, would be fixed hereafter; but it was calculated, that the proportion of the Common Law Courts might be raised by fees not exceeding 1*s.* 6*d.* upon every writ of summons, and that of the Probate and Divorce Courts by 6*s.* 8*d.* upon every grant of probate or administration on sums above £100, or (if it were preferred) 3*d.* per cent on the amount. These small and almost nominal fees, which it did not at all follow would for any length of time operate as an addition to the fees now levied in those courts, would be sufficient for the purpose. It was proposed by a Bill to be introduced during this Session to collect all court fees by stamps in cases where they were not already so levied, the effect of which would be that they would be collected with greater facility and security, and he hoped that by these and similar alterations the existing fees might be largely reduced. There were some who thought that the levying of fees in courts of justice was altogether improper, and that the State ought to defray all the expenses of such courts. Whether that was right or wrong in the abstract, this was not the occasion to inquire. It certainly had not been the practice of Parliament to act upon that principle, and it would probably turn out to be one of those things which were beautiful in theory but could never be reduced to practice. Great objections might be made to every species of tax, and if the suitors in our courts were only taxed for purposes connected with the administration of justice, he was by no means sure that they were worse off than other people. Be that as it might, when the County Courts were established in 1846, the cost of their buildings and all their charges were provided for by means of fees which were levied even upon the poor suitors who resorted to those tribunals; and when the Six Clerks in Chancery were abolished, in 1842, provision was made for the compensations which were rendered necessary by additional fees which had since been got rid of. It was, therefore, impossible for any one to argue that that House ought to refuse its consent to a great public improvement because the system of fees was not abolished. And, certainly, if there was any instance in which the principle of the entire abolition of fees was doubtful, he should say that it was in the case of the administrative business of the Court of Chancery. For if the Court of Chancery acted as steward and receiver of very large amounts of property on terms infinitely lower than those which would be charged under any other system of management, he did not see that there was any abstract principle which would make it improper that some remuneration should be received by the State for the care which it took of the property and estates of individuals. At all events, that was the system upon which all our courts had been managed hitherto, and the question for the House now was whether the plan proposed by the Government was of sufficient value and importance to the nation and to the public interest to be worthy of adoption, or whether it was to be stopped or rejected on account of some theories which persons might entertain as to the desirability of a total revolution in the mode of providing for the administration of justice. It certainly was not likely that such a revolution would take place at the present time, nor was it probable that the House would think itself bound for the sake of effecting such a revolution to provide the large sums necessary for these buildings, when they were forthcoming from the sources to which he had already referred. So much as must be raised by the additional taxation of suitors the Government proposed to raise from those courts which would have the benefit of the new buildings, and which had not contributed to the funds which would be drawn from Chancery. He could not believe that the House would be of opinion that this great and important improvement ought to be delayed until they were in a condition to throw the whole expense of the administration of justice upon the public purse; and if it was not to be delayed until then, he felt confident that the House would think that the Government had a perfect right to use the funds which they proposed to employ, and that it would be for the benefit both of suitors in Chancery and of all persons who were concerned in the administration of justice that they should so use them. He now concluded by moving for leave to bring in a Bill to "supply means towards defraying the expenses of providing Courts of Justice and the various Offices belonging thereto, and for other purposes," and he confidently hoped that this Session would see a very great blot removed from the system of the administration of justice in this country, and something like proportion restored between the dignity and magnitude of the justice which the country administered, and the means which were provided by the country for its administration.

SIR HENRY WILLOUGHBY said, he listened with great pleasure to the able and eloquent speech of the learned Attorney General; but he owned that his finance did not inspire him with much confidence, and he trusted that the House would be careful before it came to a decision upon this point. It might or might not be desirable to spend a million and a half or two millions of money in the concentration of the law courts; but he thought the House would be unwise if it disguised from itself the way in which the funds were to be obtained. His belief was that a large proportion must come out of the pockets of the taxpayers, and, if so, the fact ought to be avowed. The cost of the buildings was now estimated at £1,500,000, but the House must not forget that they had on the table a Treasury Minute, in which it was stated that a sufficient allowance had not been made for contingencies. The Board of Works had stated that in their view the cost would be £2,000,000; and they knew, from the experience of the Houses of Parliament, how estimates were exceeded, seeing that though computed to cost £700,000, they actually cost the magnificent sum of £2,500,000. He thought that the expense of the present project was likely to be £2,000,000 or £2,500,000. The ways and means proposed by the Attorney General appeared to him to be most doubtful. Taking the sum to be raised at one million and a half, he understood that £900,000 was to be raised by the sale of certain stock known as "Fund B." Then there was £200,000 from the sale of land. That, in point of fact, would be a vote of public money, and nothing else. The remainder it was proposed to raise by fees. What he wanted to know was, whether there was not on the table of the House a document which showed that the whole income of the Fund B they proposed to sell was actually expended? Speaking from memory, the entire charges were £163,000, and the balance, after the charges were defrayed, was £356. If, then, they sold the principal, how would they provide for the charges? The basis of the scheme therefore failed, and he came to the conclusion that this House must make up its mind whether it meant to pay this sum of money, or, at least, a large proportion of it, out of the taxes of the country. That House had got the reputation of being a very extravagant Parliament. It had increased the expenditure to nearly £67,000,000 a year. Whether this was a proper moment to make an additional heavy burden to the expense borne by the people was a great question which they ought seriously to consider. Except upon public grounds and public necessity, they ought not to vote away so large an amount.

MR. HADFIELD said, that it was not desirable to have the courts of law dispersed over the metropolis, and was also in favour of the codification of the laws relating to debtor and creditor. He agreed with the leading points of the speech of the Attorney General. Again, why should the country be at the expense of putting debtors into gaol for very small sums of money? He did not know whether it would not be better to pay the whole of such debts. He regretted that the Lord Chancellor's scheme of having a Chief Judge in bankruptcy had not been adopted;

for he thought that by this means the law of debtor and creditor might have been brought into a manageable form. He thought that if, instead of £1,500,000, as proposed by the Attorney General, £2,000,000 or even £3,000,000 were devoted to the centralization of the administration of laws relating to the commercial interests of the public, the country would be a gainer in more than a pounds, shillings, and pence point of view.

Mr. SELWYN said, the real question before the House was not whether there were evils attendant on the present arrangement of the courts of justice—which everybody had admitted and deplored long ago—but how these evils were to be remedied expeditiously and with a due regard to justice and economy. It did not follow that because concentration was desirable the present scheme should be adopted. When he saw that the Attorney General had taken up this measure he certainly expected to have heard some scheme proposed which would have had a chance of passing the House of Commons, and which, as the Government were not willing to propose a direct Vote from the public purse, would have been consistent with justice and economy. The speech of the Attorney General would have been an excellent prologue to a proposal to vote a million and a half from the public funds, and to such a vote, when due necessity was shown, he should not have been disposed to object. In the latter part of his speech the Attorney General, referring to the Treasury Minute of 1861, admitted that if the objections therein stated applied to the present scheme there would be little chance of it passing the House of Commons. But those objections applied with even greater force to the present scheme. His hon. and learned Friend was obliged to omit all mention of the Report of the Commission of last year, comprising such names as the Duke of Argyll, Lord Kingsdown, and the hon. Member for London, because that Report contained statements and also a recommendation fatal to this very scheme. His hon. and learned Friend maintained that the scheme was not open to the objections on the score of economy suggested in the Minute of 1861; but if the Bill were anything like that shadowed forth in his speech, it was even more objectionable than the Bills which followed the Report of 1861. The Bill of 1862 provided that the fees should no longer be reduced at the will of the Lord Chancellor, without the sanction of the Treasury. That clause was omitted in the Bill of last year, and he should be glad to hear whether it was included in this, for Sir John Romilly in his evidence before the Committee said this proposal was so unjust that if the House of Commons once understood it thoroughly they never would pass such a Bill. The House did understand it, and rejected the Bill. That clause was certainly a provision against loss of income, because if the fees were left to be reduced at the will of the Lord Chancellor the present equilibrium between the income and the expense might at any time be destroyed, and there would be a deficiency. The House must in the first place consider whether the fund on which the Attorney General built the financial part of his scheme really existed available for the purpose. He ventured to say it did not. By the Treasury Minute issued in 1861 it was estimated that the surplus of income over expenditure in the case of the Suitors' Fund amounted to little more than £3,000. The Attorney General, however, said that the charges upon it were to a certain extent temporary in their character, and that they would be reduced at the rate of £3,500 a year. The same statement had been made in 1860, and now the House possessed the means of testing the accuracy of that statement, by comparing it with the actual result. If the charges be so diminished there would now be an annual surplus of many thousand pounds. But how stood the fact? The matter was investigated by a Committee in 1861, and one of the witnesses — namely, Mr. Johnson, the solicitor to the Suitors' Fund, and who was thoroughly acquainted with the subject — had stated that the total income for the year ending the 25th of November, 1860, was £158,213 7*s.* 10*d.* He was asked whether that included the whole income of the Court of Chancery from every source, the Chancery Fund, the Suitors' Fee Fund, and the Surplus Interest Fund, and the answer was that it did. He then added that the total amount of the payments was in round numbers £156,000, and that the excess of income over expenditure for the year ending on the 25th of November, 1860, was only £1,221 13*s.*10*d.*, so that instead of the charges diminishing at the rate of £3,500 a year, there was then only the small surplus just mentioned. The question, however, did not rest at that point, for there was the Report of the Chancery Fund Commissioners in 1864, from which it appeared that the excess of income over expenditure for the year ending the 25th of November, 1863, was only £356 16*s.* 3*d.* Was not, then, the statement of the Attorney General altogether illusory when he spoke of the sum of £1,000,000 as being available for any purpose whatever? Did not the whole of his argument fall to the ground when it was seen that there was not only really no surplus, but that the anticipations which had been entertained in 1860 as to the annual increase of the Surplus Fund had failed to be realized? The question came to this, whether such a case had been made out as should induce the Government to ask, and the House to vote, an Estimate of £1,500,000 for this purpose? The supporters of the proposed scheme started with the enumeration of the great evils and inconveniences which were the result of the present state of things. Now, that evils and inconveniences did exist nobody was disposed to dispute, and if a proper remedy for them were proposed by the Government, the House would, he had no doubt, meet the proposal in a liberal spirit. But their present scheme was, he contended, open to the grave objection which he had urged, and that being so, the best way to test the merits of the question was whether such a case for the concentration of our courts of law had been made out as would induce the House to vote the public money for the purpose to the extent which would be required. His hon. and learned Friend did not appear to think that the evils of which he complained were so great as to justify him in asking for a direct Vote from that source. No doubt to concentrate in one spot not only our courts of law, but the various public offices would be a very convenient thing. Mercantile men, for instance, would consider it very desirable that their clerks should be able to step from the Custom House to the Mint, and from that to any other department where they might have business to transact, and that all should be under one roof; but then the point was, whether the change from the existing state of things was one which it was desirable to expend the public money in effecting. His hon. and learned Friend talked about the fusion of law and equity; but he had heard from him no explanation of what he meant by the word "fusion." It did not mean, he supposed, that the same Judge should one day be engaged in dealing with one description of business, such as that now transacted by the Equity Judges, and the next day with another so different as that now transacted by the Common Law Judges. The present system was the practical result of the principle to which the Attorney General had referred—namely, the division of labour. But be that as it might, it appeared to him that the advantages likely to arise from the proposed concentration had been very much exaggerated. A barrister could not conduct two cases at the same time, though they might be going on in the same building, and the rule in accordance with which the leading counsel in equity generally confined their practice to a particular court was one very advantageous to the suitors and the public. The solicitors had a grievance, but not such, it would appear, as would in the opinion of the Government warrant them in asking a grant of public money to remove. The consolidation, if he might use the term, of the entire legal profession under one roof might be a very grand idea, but then it was quite impossible to carry it into effect. To bring the Supreme Courts of Appeal, the House of Lords, or the Privy Council, or the Committees of both Houses of Parliament, in practising before which barristers were so extensively employed, as well as all the intermediate tribunals, down to and including Courts of Assessment, Sheriffs' Courts, and other minor courts, within the limits of the same building, was a scheme of concentration of so universal a character as not to be seriously entertained. The question, then, was, how such evils and inconveniences as arose out of the present state of things could practically be remedied? Certainly not by the visionary plan shadowed out by the Government, and which had so often failed in that House. He wished, at the same time, to say that he had not the slightest intention of opposing the Motion for the introduction of the Bill, but he complained of the introduction of a measure founded upon principles upon which other measures had been rejected, and without proper care in confining the scheme to the courts in which change was necessary. He had, he confessed, heard with some surprise the Attorney General state that the accommodation in the present courts of the Lord Chancellor, the Lords Justices, and the Master of the Rolls was altogether insufficient. He would appeal, in refutation of that statement, to the opinion expressed by the very Commissioners on whose Report his hon. and learned Friend placed so much reliance. He found it set forth at page 7 of that Report that those learned Judges were accommodated with reasonable convenience, and "with some regard to the dignity of their station." What said the Master of the Rolls? In addition to his judicial functions he was likewise custodian of the public records, and this duty he was enabled to discharge because a building had been erected, at a cost of £88,000, in immediate proximity to his own court. The Master of the Rolls declared that if his court, which perfectly sufficed for all its present purposes, were removed to any other site, he should no longer be enabled to discharge the double duty. And Mr. Hardy, the Deputy Keeper of the Records, came forward and gave evidence in a similar spirit. Suppose that such statements were made by a public officer with regard to any project upon which the Government proposed, in plain terms, to expend public money, would the Government, in the face of those statements, venture to pull down the building, which their own officer declared to be suitable and necessary, and sell off the remains as old materials, and then purchase another site and erect a new building upon it? The two things to be considered in all building projects were money and space. As to the pecuniary part of the question, the House were unable to obtain a straightforward statement; and with regard to space, there was just as little to recommend the plan. The Courts of Equity, which were quite prepared to find their own accommodation without any expense to the public, or guarantee of public money, ought to be eliminated from the plan; the same might be said of the Courts of Admiralty and Divorce. There would then remain, it was true, the Courts of Common Law; but for these a much smaller space, probably one-third of what was contemplated in the present Bill, would suffice, which there would then be little difficulty in obtaining. The Attorney General had not stated who was to prepare the plans. He differed further from the right hon. Gentleman as to the estimate of expenses; and looking to the statements contained in the Treasury Minute, it was much more probable that the cost would rise to £2,000,000, than remain as suggested at £1,500,000. The three items upon which this estimate was based were buildings and land in the centre of London, building materials, and building labour. He appealed to every Member having experience of the investigations conducted before the tribunals of that House, whether any articles of consumption during the last few years had risen so rapidly and continuously as those he had just enumerated. Since the railway invasions of the metropolis commenced, land in the centre of London had risen to a fabulous rate, and the price of materials had almost kept pace with it. If the Treasury Minute of 1861 thought that an addition of one-third ought to be made to the estimate of expense, what ought to be added to a similar estimate in the year 1865-6? The section of the Government that concurred with the Treasury Minute of 1861 had surely grave reasons for doubting or disapproving of the present scheme. The right hon. Gentleman, in discussing the application of the fund which he proposed to make, said the first question was, whether it was just to take the fund for such a purpose. He very reluctantly differed from the Attorney General as to the justice of so dealing with the fund. There was, however, a previous question to be considered — namely, had it been shown that there was any such available fund in existence? In enumerating the authorities who had remonstrated against any interference of the kind proposed, it was surprising that the learned Attorney General should have omitted one or two prominent names. Lord St. Leonards had frequently and emphatically expressed his opinion, which was endorsed by the Royal Commission of 1864; but if that learned Lord were suspected of prejudice, there was another authority of still greater weight, owing to his present rank, and that was the present Lord Chancellor. In a speech delivered in the House of Commons on the 21st of May, 1860, Lord Westbury (then Attorney General) said—

> "It was a great mistake to suppose that the Court of Chancery was indebted to the Consolidated Fund. If the balance were struck, and if the Suitors' Fund were emancipated from the burden thrown upon it, the Consolidated Fund would have £200,000 a year additional to bear. The accumulated fees of the Suitors' Fee Fund ought to be dedicated to the purpose of relieving the suitors from the fees of the Court of Chancery."—[3 *Hansard*, clviii. 1574.]

That was the opinion of the present Lord Chancellor, and it coincided with that of Lord St. Leonards, and with the Report of the Commission of 1864. He might be told that one very eminent Member of that Commission dissented from the opinion of his colleagues; but the answer which he should give to that would be that an equally able member of the Commission of 1860—Vice Chancellor Sir W. P. Wood—the only member of that Commission connected either with the Chancery Bench or the Chancery Bar, dissented from the recommendations of the Commission, as far as these related to the appropriation, or, as he considered it, the misappropriation of the fund. From the Report of the Commission of 1864, it was quite true that one member, the hon. Member for London, dissented; but for what reason? Because the recommendation contained in that Report would interfere with the scheme for the concentration of the courts of justice. That was to say, that the Report of a Commission appointed by the present Government was so fatal to the present scheme that the only one Member who dissented from the Report did so on the express ground, and that one ground only, that it would interfere with the project now before the House. When the Attorney General next inquired into the weight of authority, he would find that the opinions adverse to the proposed application of the fund were something more than prejudices vaguely floating about the Court of Chancery. According to the principle laid down by the right hon. Gentleman, the money contributed by the suitors might be taken for the purposes of the Thames Embankment, for building armour-plated ships, or for any other purpose. If the right hon. Gentleman contended that present suitors had no rights whatever growing out of the fund raised by contributions of past generations of suitors, then the simile so well put by Vice Chancellor Wood applied—

> "You might as well say that funds contributed to a hospital were intended to benefit only the present inmates, and had no reference to future sufferers; or that the pence contributed by children in a school, if a surplus remained at the end of any week, did not belong to the school, but might be taken and applied for any extraneous purpose."

The argument was put in a very clear light by the passage which he had read from the speech of the present Lord Chancellor. It was idle to say that the expenses in Chancery were so trifling that it mattered little whether they were increased or diminished 50 per cent. The surplus income was now only £356, and that was only obtained by taxation of the suitors amounting in the last year to £96,000; and if the Lord Chancellor exercised the power, which, according to his view, ought to be set in motion whenever the produce of the fees increased, the result would be that, instead of a large surplus, there would be none at all; because the moment the income grew, the obligation to revise the taxation would immediately arise. He contended that it was obviously unjust to take away from the suitors in Chancery the benefit of a possible increase of revenue, and to increase or perpetuate this taxation for the purpose of building Courts of Common Law. The Chancery Courts were perfectly able to take care of themselves, and to provide new courts without any expense to the public. The only reason, therefore, why they were dragged into the discussion was in order to throw a sort of veil over the expenditure by reason of this million which it was proposed to lay hands on in the first instance. He had no intention, as he had stated, to oppose the first reading; but he hoped the scheme would be re-considered, and would be brought back in some practical shape which everybody could understand. The measure had now been introduced three times, and three times it had failed. It was rather too much to come before Parliament again with a scheme open to all the objections which had led to the rejection of its predecessors, and then to hold that because there were some admitted evils out of doors the House would not take the odium of rejecting the Bill. The odium, if any, ought to rest with those who had rejected the cheap, expeditious, and practicable scheme which had been brought forward in 1859. But the real burden of proposing some scheme suited to the urgency of the case lay upon the Government. He did not care what schemes were adopted, whether it was that of the Society of Lincoln's Inn or any other. Provided only that it were consistent with justice, did not increase or perpetuate taxation upon the suitors of the Court of Chancery, and dealt only with those courts where admitted evils existed, and which could not be remedied by any other method, he believed it would meet with the hearty concurrence of Parliament.

MR. AYRTON expressed his satisfaction at finding that the Government intended to proceed vigorously with this measure during the present Session, and he hoped the hon. and learned Gentleman the Attorney General would not be discouraged by the want of success which attended the former attempt. Upon the last occasion some prejudice was created in consequence of the measure being introduced from the Department of Works, which led the House to believe that some gigantic building scheme was in contemplation, or some fanciful scheme of pulling down one structure in order to construct a more ambitious building. The hon. and learned Gentleman, upon the present occasion, had introduced it very properly as a great question of practical law reform, as putting the keystone to the arch of law reform which Parliament had been for some thirty-five years constructing; in fact, as a mode of improving the administration of justice. If it was necessary to show that this was not a mere theoretical question of law improvement, the best evidence that this was a practical question would be found in the fact mentioned by the hon. and learned Gentleman opposite, that it was first introduced by such a man as Mr. Hume. The more the House examined into the details of the measure the more satisfied they would be that it was one of an eminently practical character. Indeed, the hon. and learned Gentleman opposite (Mr. Selwyn) had admitted the whole case with one exception, which exception, he said, deprived it of its character as an improvement. The hon. and learned Gentleman asked where would be the use to equity counsel, who practised in a single court, of concentrating all the law courts upon a single site. Of course, to those gentlemen the improvement could not be obvious, but they were the exceptions which proved the rule, because every other person engaged in the administration was conscious of the inconveniences of the present system. It was unnecessary now to discuss a question which had been practically admitted. Upon a former occasion some prejudice was created by the suggestion that the measure would in some way or other lead to the spoliation of dead or unborn suitors, and to depriving them of some portion of the property which might remain to them after undergoing the excruciating process of Chancery. That suggestion did awake some sympathy, but it was satisfactory to find that upon the present occasion the hon. and learned Gentleman opposite had not dwelt upon that point, and had passed over the question as to whether the House could not deal with the capital of a fund which was in the hands of the Crown. It seemed to be admitted that the fund could be dealt with for the purpose of improving the administration of justice. It could not be pretended that there was any special equity in favour of any individual on this fund, and the analogy suggested by the learned Judge who had been quoted was one which that learned person could never have ventured to put forth from the bench. What resemblance could there be between this fund and a sum of money left upon charitable trust? No man whose money was intrusted to the Court of Chancery ever contemplated the conferring of a public benefit, or of endowing some charitable foundation, such as a school or almshouse. The analogy was so shallow that the learned Judge must really have been in a sportive humour when he indulged in it. The hon. and learned Gentleman opposite had very properly grappled with the question as a practical one, as respected the interest of money to be expended in the construction of the new courts, which he estimated at £45,000 per annum; and he declared that if they looked to the Court of Chancery to supply that sum they would be disappointed. But the great merit of this proposition was that the Attorney General had pledged himself that the interest of the money to be expended was not to be charged upon the public revenues, but was to be borne in some way by the various funds which were available for the administration of public justice. It was unnecessary now to enter into details as to how that sum was to be raised, whether by increased fees or by opening up any of the resources of the various courts. He apprehended that there were many resources. For instance, the rents now paid for a number of offices would be saved, and other means of reimbursement would be found. But he would ask the House to look at the broad subject in the broad light in which the Attorney General had placed it, whether it would not be possible to save from the expenditure and receipts of all the courts £45,000 a year, to pay the interest of the capital to be expended? He believed that there would be no difficulty upon that point, but as to how the amount was to be raised was a mere matter of detail. When the Judges were deprived of the power, which they had no right to exercise, of diminishing fees without consent of the Treasury, he had no doubt that a sufficient surplus would be forthcoming to meet all the charges which would be imposed by this important improvement. He therefore hoped the House would not be frighttened by any suggestion of possible calamity to the Fee Fund of the Court of Chancery, but would seriously apply itself to the prosecution of a measure which, if longer delayed, there would be greater difficulty and greater expense in carrying out. It was true that the particular property to be dealt with by this measure had not risen greatly in value, but it might be that the wretched dwellings now existing might be swept away, and in that case it would be much more expensive to carry out the scheme now proposed. It was most important that the Government should at once take steps to secure the site, and the plan when carried out would be such an improvement in the administration of justice that it would be fully worth the expenditure. There was one improvement alone that would be worth £45,000 a year. It would enable all metropolitan causes to be tried at *Nisi Prius* in London, and suitors would not be driven from Westminster to London and thence to Kingston and Guildford for an opportunity of obtaining justice. If the new courts were built, they might have a permanent *Nisi Prius* Court, which should continue its sittings, trying cases as they arose, and thus preventing the delays of one month, or even six months, which frequently arose under the present system. The hon. and learned Gentleman would, no doubt, meet with obstructions. The opposition of the hon. and learned Gentleman opposite had been most discreet, but his connection with Lincoln's Inn gave him a particular interest. The interests of the legal profession generally would be promoted by the proposed improvement, and if the Courts of Chancery were turned out of Lincoln's Inn to give more room to the counsel practising in those courts, no doubt the recipients of rents might be affected, but the barristers who paid the rents would be greatly advantaged. The hon. and learned Gentleman might be obstructed by the City of London, but as it was understood that he intended to allow Temple Bar to remain as a public obstruction and as a perpetual monument of corporate good taste, perhaps that opposition would not be very severe. Indeed, he gathered that the City functionaries had waived their objections, and it was to be hoped the example would not be overlooked in other quarters. The public interests would be greatly advanced by a concentration of the law courts, and therefore he hoped the present Bill would speedily pass into law.

MR. MALINS said, he gave his cordial support to the measure; and would congratulate the Government that they had for the first time taken the matter in hand in a way that was likely to promote its success. It was not safe to indulge in prophecy, but, in contradistinction to the hon. and learned Member for the University of Cambridge (Mr. Selwyn), he would venture to prophecy that this measure would succeed. That it should do so was his most earnest hope, and he, together with his hon. and learned Friend, now deservedly elevated to the Bench, the late Member for Truro (Mr. Montague Smith), had last Session, as late as the month of June, urged upon the Government to proceed with this scheme. His hon. and learned Friend the Member for the University of Cambridge could not but be deeply impressed with the evils of the present system, but he appeared at the same time to be rather willing to submit to those evils than disposed to assist the Government in their effort to cure them. The two questions chiefly to be considered in connection with the scheme before the House were the benefit which the public would derive, and the mode in which the money was to be raised. The second point was one on which he would not dwell, but he had again and again urged the Government to take the money from the Consolidated Fund, and he still believed that that course would be preferable to defraying the expenses from the Suitors' Fund. At the same time, if there was in the opinion of the Government £1,000,000, which would give the Government what they wanted, and if the Government were prepared to give their guarantee to the public in case there was any other demand on this stock, they ought in this, as in other matters, to rely on the Government guarantee. This relieved him of all difficulty on this score, and in consequence he would discard all the arguments which had been advanced about the difficulties of having recourse to the Fund. He was satisfied, therefore, with the statement of the Attorney General; for he (Mr. Malins) could not believe that his hon. and learned

Friend would have allowed himself to be deluded with the supposition that there was a million of money forthcoming, if that was real which the hon. and learned Member for Cambridge University would maintain, that there was not this million available. There was no doubt that the hon. and learned Member had satisfied himself of the grounds on which he ought to dissent from the Report of the Commission in this matter before he formally expressed his dissent; but all objections were overruled, inasmuch as the Government had guaranteed that they would indemnify the fund from loss. Now that the Government were bringing forward the Bill at the commencement of the Session, he felt convinced that they were in earnest, and he rejoiced that success would come out of it. In his opposition the hon. and learned Member for Cambridge University stood alone. He (Mr. Malins) was sure that there was not another Member of the legal profession who would give it the slightest opposition, and he did not believe that the hon. and learned Member really opposed the scheme of concentration. No doubt the hon. and learned Member for the University of Cambridge felt himself hampered by the supposed opposition of the benchers of Lincoln's Inn; but he (Mr. Malins) did not think that the benchers were opposed, or would be opposed, to the Bill. He was a member of the Council of that Inn, and had recently taken an opportunity to bring the subject under their consideration; and if he understood their feelings he believed that they were of opinion that as there was no chance of the proposal made by Lincoln's Inn in 1859 being carried out, such was the paramount importance of the proposal that all the courts should be concentrated under one roof, they were not disposed to offer opposition to the Government plan any longer. The House must then conclude that the hon. and learned Member for the University of Cambridge was opposing the Bill in his individual capacity, and not as representing the benchers of Lincoln's Inn on their authority. Certainly no petition against the Bill had been presented from Lincoln's Inn, and he (Mr. Malins) thought that none would be presented; and his ground for saying so was that they were likely to concur in the grand scheme for bringing all the courts under one roof, and, besides this, that they were not likely to receive any support for their own scheme. The hon. and learned Member for the Tower Hamlets (Mr. Ayrton) was led into error in supposing that the hon. and learned Member for the University of Cambridge could not feel any inconvenience from the separation of the courts because he practised in only one court, the Master of the Rolls. But in reality no man suffered more. Let any hon. Member visit the Rolls Court on a wet morning, and judge for himself. Many matters came before the Master of the Rolls in the Rolls Yard, on which he gave decrees and orders. These gave rise to appeals which were heard in Lincoln's Inn Hall, either before the Lord Chancellor or the Lords Justices. The counsel followed their appeal cases; and the distance from the Rolls to the court of appeal was about one-fifth of a mile. The counsel might be seen on a wet snowy morning in their wigs and gowns, hurrying helter-skelter, with their umbrellas open, up Chancery Lane to the appeal court to catch their appeals; and when they were over, then helter-skelter back again in the wet and mud. Surely the hon. Members who suffered this inconvenience would be glad to see courts under one roof. The court in which he (Mr. Malins) practised was a shed or hovel, and from it he must make his way along a passage which, to be sure, was covered over head, but which was exposed to all the winds of heaven. But what was this inconvenience in comparison to the loss to the public which must result from one court sitting in Westminster, another in Guildhall, and the equity courts in Lincoln's Inn? A solicitor would come to an equity barrister between nine and ten in the morning to a consultation, and then hurry away to attend Mr. Bovill at Westminster, expressing his regret that he could not watch his case in court. But if the courts were under one roof, the public could not suffer from this disadvantage. If the courts were concentrated in the spot which seemed happily left open for them between Lincoln's Inn and Westminster, all the solicitors could come together, and the barristers could interchange ideas as they formerly did when the courts were at Westminster. It was at the urgent request of the equity bar that Lord Cottenham relieved them from coming down to Westminster and consented to sit in Lincoln's Inn. This was an advantage to the Bar, especially as they could remain in chambers and see their clients during the day; and by the transfer of the courts the common law Bar would gain the same advantage. The only disadvantage in the way of separation, and that a trifling one, would be experienced by the equity Bar, but the members of the Bar would cheerfully make this small sacrifice, and acquiesce in the proposed plan for the general benefit of the profession. His hon. Friend the Member for Evesham (Sir Henry Willoughby) had warned the House that they would have to bear a considerable portion of the expense. The Government, however, proposed to find £600,000. [The ATTORNEY GENERAL: All except £200,000 of which is to be reimbursed.] The sum of £200,000 would, if he understood aright, be repaid by the Exchequer being relieved of certain rents and receiving money as the rental of certain sites which the Government would then obtain. As to the other £400,000, the Government would find that sum, and be repaid in fifty years by a small fee upon suitors in the Courts of Common Law and Probate. He believed that the scheme now proposed would be one of the cheapest bargains ever made by the suitor, for he would derive the greatest advantage in return for this small fee. He begged to express his warm and hearty concurrence in the measure, and to thank the Government for bringing in at so early a period of the Session a Bill which he felt confident would this year finally pass into a law.

THE ATTORNEY GENERAL explained that £900,000 was to be obtained by the sale of £1,000,000 of stock, and £400,000 would be repaid by a small fee for fifty years on suitors in common law and probate.

MR. MALINS so understood it, and considered that the project would be one of the cheapest that ever was executed.

MR. DENMAN, being also a member of Lincoln's Inn, could not help expressing his gratification at what had fallen from the hon. and learned Member for Wallingford (Mr. Malins), that he had good reason to suppose that the hon. Society of that Inn were no longer likely to be reckoned among the opponents of this measure for concentrating the law courts. It was now considered most desirable to establish, as far as possible, a fusion of law and equity, and as this was a step in that direction, it would meet with very general approval. The hon. and learned Member for Cambridge University, who appeared to stand alone in his opposition to this measure, must be aware that every day cases were arising in which the members of the common law Bar were called upon to argue questions of equity. Now, he did not think that the interests of suitors in mixed cases of law and equity could be properly served until the members of both Bars were brought more closely together. Moreover, the present arrangement involved a great waste of judicial time and power, for the Judges of the courts of Common Law now had to leave their courts and walk through the streets, or take a cab to Serjeants' Inn, in order to sit in chambers there. The courts were daily broken up from this cause, and the solicitors and junior Bar had to run from one place to another, at a great expenditure of time, which was to the suitors a great expenditure of money. Although some barristers of the common law courts, who, like himself, were practising all day at Westminster and then able at once to pass over to their duties in this House, were personally interested in retaining the existing state of things, nevertheless, seeing the advantages derivable by the proposed change both to the public and the suitors, they were ready to give the scheme of the Attorney General their best support. He believed that there were five benchers of Lincoln's Inn then present as Members of that House, and he was glad to know that only one of them would oppose this Bill. He hoped, and believed, that the measure would soon pass.

MR. BOVILL concurred in the opinion that those members of the profession who were also Members of the House would individually have reason to prefer that things should remain as at present. The members of the Bar were almost unanimous in favour of a concentration of the law courts, and it was of the greatest importance to the administration of justice that this measure should be agreed to. It was now not uncommon for the Queen's Bench to require three different courts for its own accommodation. The court sat *in Banco* after Term, and the pressure of business was so great that two Judges were at the same time sitting with juries at *Nisi Prius*. It was now very difficult for even a barrister to find out the particular court in which the cause in which he was interested was to be heard. The other day an hon. Member of that House desired to find his way on a subpœna to the Queen's Bench. He found the full court occupied by the Lord Chief Justice. He was then told to go in another direction, and he found the court sitting, not in a shed or a hovel, but in a place little better than a dog-hole. It had been constructed several years ago, and had been used for occasions when a single Judge sat for a couple of hours to inquire into cases of bail. It now sometimes happened that the full Court of Queen's Bench was obliged to hold its sittings in that court. The hon. Member to whom he referred having first gone to the great court and then to the Bail Court, came to him to ask him where the court he wanted could be holding its sittings. He was unable to tell him, and had to ask the usher of the court to take charge of him. They at length found the court sitting up two pairs of stairs in a remote part of the building, and without accommodation for either Judges, counsel, attorneys, or witnesses. The business of the Courts of Common Law had, indeed, so much increased that although the Courts of Equity had migrated to Lincoln's Inn, there was not at present accommodation for the courts that were left. The Judges and the members of the Bar were all exceedingly inconvenienced by the present state of things. But there was a much more serious mischief still. At Westminster the common law required no less than six courts; but at the Guildhall the three courts which had been provided could not meet the requirements, and accordingly the Corporation devoted a certain portion of the space at their command to the building of what he would not call sheds, or hovels, or dog-kennels, but two cucumber-frames. He had taken the liberty to make a representation on the subject to a member of the Court of Aldermen, whom he induced to accompany him into one of those hotbeds, and so great was the heat, and so bad the smell, that his friend could not remain there more than a few minutes; and yet the Judge, the jury, and the public had to remain in such places for several hours at a time. "But," said the Alderman, "what are we to do? There is a scheme which has been before Parliament year after year for the concentration of the law courts, and how can we, in the face of such a scheme, ask the City to spend its funds in the erection of new courts?" He (Mr. Bovill) felt the objection to be unanswerable. So long as this measure was delayed the public in general, as well as the City of London, would be put to inconvenience. There had been a tendency of late years to enable each court to administer full justice in each particular cause. For instance, if a suit were commenced in the Court of Chancery it was desirable that it should be determined there before a jury, if necessary; and so with respect to the common law courts. They had now to decide upon matters of equity—there was a greater interchange of the services of those who practised in the several courts, and the lawyers now went backwards and forwards between Westminster Hall and the Court of Chancery. But it was almost impossible for a suitor to secure the services of his advocate, in consequence of the separation of the courts. The result had been—and the feeling was almost universal among lawyers — that it would be of the greatest possible advantage to the public that the courts should be concentrated in one place. The interchange of the views and opinions of Judges and of the members of the Bar would be of considerable advantage, and the saving of time, and of expense, would be so great that it was scarcely possible to estimate it. He begged, therefore, to tender his cordial support to the proposal of the Government, and in doing so he expressed not only his own opinion, but that of almost the entire Bar, and nothing more advantageous could be done than to provide a palace of justice which would be at once an honour to the Government and an ornament to the country.

MR. SCULLY said, that the concentration of the law courts was not an experiment; it had been tried in Ireland with the most complete success. Upon an area much less than seven acres and a half all the Courts of Law and Equity were concentrated in Dublin. The Hall of the Dublin Four Courts, as they were called, used to be a lounge for barristers and attorneys to gossip away their idle time; but that evil was cured by the establishment of a library where the members of the Bar attended to their chamber business, and left the hall comparatively deserted. There were fifteen courts under one roof in Dublin, besides solicitors' rooms and an abundance of offices, and coffee and refreshment rooms in the wings. All that was required for the metropolis was a similar building, but upon a larger scale. All the courts in London, except the Rolls Court, were inferior to the worst of the fifteen courts in Dublin; and the London Rolls Court was not equal to some of the Dublin Courts. But there was one point in which he thought the interests of the barristers was attended to more than that of the public, and that was as regarded the question of site. The Attorney General had stated that there were only three competing sites—one in Westminster, one at Lincoln's Inn, and one at Bell Yard, which was the best of those three. But there was a superior site still, and he thought it a great mistake not to adopt it. One of the greatest ornaments to Dublin was its quays, but they were nothing as compared to what the Thames Embankment would be. For the Bar, and for the dwellers in the three Inns of Court, the site at Bell Yard might be the most convenient, but the public would have far more accommodation on the embankment between Somerset House and the Middle Temple, from which position there would be several most facile modes of access both to Westminster and to the City; independent of the opportunity for a magnificent decoration to the river frontage. The suggestion was, he submitted, well worth considering, as the open site fronting the river was in all respects much superior to that jammed up at Bell Yard.

The ATTORNEY GENERAL said, he wished to correct a misapprehension under which the hon. and learned Member for the University of Cambridge (Mr. Selwyn) appeared to labour with regard to the financial portion of the scheme. The whole expense was to be provided by the Treasury, so that if there was not a fund to make it good then the Treasury would bear the expense; but of course the Treasury was satisfied there was a fund. His hon. and learned Friend said they should look to income only, and not to the capital; but he (the Attorney General) looked to the capital to repay the State, the State guaranteeing the suitors against any possible loss of their money. The next operation was to provide for those annual charges, which the £30,000, the income of the fund taken, would otherwise meet. How was that provided for? In the first place, the State guaranteed all individuals interested against loss; but then the State was to be indemnified by taking all sums necessary to meet any deficiency from time to time arising in the income to meet the annual charges, out of the other reserved half-million. The Lord Chancellor would have power to redeem and buy up the compensations now chargeable on that fund, and apply the capital, the half-million reserved for that purpose, and the capital of the half-million will come from year to year, till the whole of the charge fell in, in aid of the other funds. A calculation had been carefully made, that if even no portion of it was redeemed or bought up by the application from year to year of a sufficient portion of the half-million to meet the charges otherwise insufficient, there would be a final extinction of all those charges, so as to put an end to the deficiency of the income in about eighteen years, and leave a large balance in hand. He denied that the House had ever rejected the scheme, because the hon. and learned Gentleman had succeeded in a thin House on one occasion in gaining a majority of one. The Bill might have been proceeded with, but it was thought desirable that further inquiry should be made. Time was given for further inquiry, and the objections then made have been successfully met in this Bill. From what had taken place that evening, he felt confident that this great measure would be carried before the present Session came to a close.

Motion *agreed to.*

Bill to supply means towards defraying the expenses of providing Courts of Justice, and the various offices belonging thereto; and for other purposes, *ordered* to be brought in by Mr. Attorney General, Mr. Cowper, and Mr. Solicitor General.

Bill *presented,* and read 1° [Bill 5].

COURTS OF JUSTICE CONCENTRATION (SITE) BILL.

LEAVE. FIRST READING.

Mr. COWPER moved for leave to bring in a Bill to enable Her Majesty's Commissioners of Works to acquire a site for the erection and concentration of courts of justice. He was obliged to provide for this by a separate measure, because by the forms of the House the purposes of this Bill could not be attained by the Bill for which the House had just given leave. He apprehended that there was no difficulty in deciding on the best site for the new courts and offices. The means of preventing the waste of time now so vexatious and injurious were to be sought by concentrating the courts and offices near the chambers of counsel and the offices of the attorneys. It happened that this object was very easy to attain, because the legal profession were very gregarious, and loved to live within the sound of each others' voices. All the Inns of Court were in close contiguity; and taking Carey Street as a centre, it would be found that all the Inns of Court and the offices of two-thirds of the practising attorneys in London were within a radius of a quarter of a mile; so that the proposed site, which was bounded on the north by Carey Street, on the south by the Strand, on the east by Bell Yard, and on the west by Clement's Inn, was actually in the centre of what might be called the legal district. The site had other advantages. It was in a very central part of London, and was placed between two great thoroughfares, Holborn and the Strand—to the former of which ready access might be attained, particularly if the improvement of making a carriage road through Great Turnstile should be carried out. The thoroughfares on all the four sides of the building would be made large. In this way a building would be erected not only commodious, but suited to the dignity of a Palace of Justice. Some people apprehended that the noise of the Strand might interfere with the business of the courts; but that inconvenience would be easily avoided by placing the courts in the centre of the building, and the offices at the side facing the Strand. Allusion had been made to other sites, but it really appeared to be practicable to select no other site. The space in Lincoln's Inn Fields was too small to admit of the extent of building now required, and, besides, he was sure that the House would never agree to commit such an outrage against the healthiness and beauty of the metropolis as to build upon the open space in Lincoln's Inn Fields. One advantage in selecting the site suggested by the Government consisted in the fact that the houses required to be removed were of very little value, and were so arranged that their removal would be a positive advantage to the metropolis. The site was now occupied by a curious network of courts and lanes, so constructed as to be injurious to health, and there was not there a single street in which a carriage could pass. As to the houses, they were of that character that no one would wish to see them remaining there any longer. It had been suggested that it might be possible to take a site connected with the Thames Embankment; but by the Thames Embankment Act the ground actually reclaimed from the river could not be built upon, and it would be of too small an extent to contain any large building. Another objection was that the ground now occupied by the houses in Arundel Street and Norfolk Street, between the Temple and Somerset House, was of a different elevation from the proposed level of the Thames Embankment, and the property in that neighbourhood, instead of being low-priced, would be expensive, and thus the calculations on which the present measure was founded would be disarranged. But the strong and fatal objection to the site of the embankment was, that though it was within reach of the legal quarter, it was at the south-west corner of it, and was not central and advantageous. With respect to the site proposed by the Government, it would be perfectly easy, if thought convenient, to have a communication by a covered way from the Temple and Lincoln's Inn to the new courts, and Temple Bar might in the case of the Temple be made use of for the purpose. Supposing the Bill to pass, it would become necessary to take steps to ascertain by a Commission of well-informed persons the amount of accommodation required for each court and its offices, and what would be the best arrangement to meet the general convenience of the public and the wants of the profession. After their report should be made, recourse must be had to the architect who was to erect the building. When the nature, character, and style of the structure were clearly defined, it was generally the best course for an employer to select a single architect in whom he could place confidence for being able to construct a building of such a character as would prove satisfactory; but in this particular case he thought the object would be more securely attained by a competition between a limited number of architects who stood high in their profession. The proposal of the Government was, that when the plans had been clearly defined a competition of architects should be invited; and the designs sent in would be carefully scrutinized, in order that the one selected should not only be most conducive to the convenience of those who used the building, but also meet the wants of the present day in respect to the beauty and general dignity of the structure. The right hon. Member concluded by moving for leave to bring in the Bill.

Motion *agreed to.*

Bill to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire a Site for the erection and concentration of Courts of Justice, and of the various Offices belonging to the same, *ordered* to be brought in by Mr. COWPER, Mr. ATTORNEY GENERAL, and Mr. SOLICITOR GENERAL.

Bill *presented*, and read 1°. [Bill 11].

COURT OF CHANCERY (IRELAND) BILL.

On Motion of Mr. ATTORNEY GENERAL, Bill to alter the constitution and amend the practice and course of proceeding in the High Court of Chancery in Ireland, *ordered* to be brought in by Mr. ATTORNEY GENERAL, Sir ROBERT PEEL, and Sir COLMAN O'LOGHLEN.

Bill *presented*, and read 1° [Bill 6].

PRIVATE BILL COSTS BILL.

On Motion of Mr. SCOURFIELD, Bill for awarding Costs in certain cases of Private Bills, *ordered* to be brought in by Mr. SCOURFIELD and Mr. CRAWFORD.

Bill *presented*, and read 1° [Bill 7].

CRIMINAL CASES (EVIDENCE) BILL.

On Motion of Mr. SCULLY, Bill to amend the Law of Evidence in Criminal Cases, *ordered* to be brought in by Mr. SCULLY and Mr. M'MAHON.

Bill *presented*, and read 1° [Bill 8].

LAND DEBENTURES (IRELAND) BILL.

On Motion of Mr. SCULLY, Bill for authorizing Transferable Debentures to be charged upon Land in Ireland, *ordered* to be brought in by Mr. SCULLY, Sir COLMAN O'LOGHLEN, and Mr. POLLARD-URQUHART.

Bill *presented*, and read 1° [Bill 9].

SMITHFIELD MARKET (DUBLIN) BILL.

On Motion of Mr. SCULLY, Bill for extending certain Acts in force as to Smithfield to other Public Markets in or near Dublin, *ordered* to be brought in by Mr. SCULLY and Mr. LEADER.

Bill *presented*, and read 1° [Bill 10].

PRINTING—SELECT COMMITTEE.

Select Committee *appointed*, to "assist Mr. Speaker in all matters which relate to the Printing executed by Order of this House, and for the purpose of selecting and arranging for Printing, Returns and Papers presented in pursuance of Motions made by Members of this House:"—Mr. BONHAM-CARTER, Sir JOHN PAKINGTON, Sir FRANCIS BARING, Mr. WALPOLE, Mr. HENLEY, Mr. CARDWELL, Mr. SOTHERON ESTCOURT, Mr. GASKELL, Sir STAFFORD NORTHCOTE, Mr. GREENE, Mr. PEEL, The O'CONOR DON, and Mr. HASTINGS RUSSELL:—Three to be the quorum.

House adjourned at half after Ten o'clock, till Monday next.

HOUSE OF LORDS,

Monday, February 13, 1865.

POOR RELIEF (METROPOLIS) ACT (1864).

LORD HOUGHTON moved that there be laid before the House—

"Return of the Number of Unions or Parishes that have availed themselves of the Act of 29th July 1864, enabling them to receive from the Metropolitan Board of Works the Sums of Money expended in the Relief of the casual Poor; of the Amount of Money hitherto so expended; and of the Unions and Parishes where the Guardians have provided new Wards or other Places of Reception for this Class of Poor, since the passing of the above-mentioned Act.

EARL FORTESCUE said, that when the Bill referred to was under the consideration of their Lordships last year, he ventured to prophesy that the measure would not work satisfactorily. Never had the metropolis been so infested as at the present moment with vagrants and beggars, and never before were such harrowing cases of distress brought under the notice of the public. When he was Secretary of the Poor Law Board he ventured to suggest that the best way of dealing with the casual poor was to place their relief in the hands of the police authorities. He could conceive nothing more unsatisfactory than leaving the administration of funds derived from a great variety of sources in the hands of a number of perfectly independent, and very often anything but harmonious, bodies. The best feature in the Act was that it was temporary, and he hoped that no further steps would be taken to renew it until the Government had given the subject the most careful consideration.

EARL GRANVILLE said, there was no objection to the production of the Returns.

THE EARL OF LONGFORD said, he had pointed out last year that such provisions as those contained in the Bill were rendered necessary by the numerous evictions —amounting to not less than 15,000— which had taken place in the metropolis in consequence of the metropolitan improvements. There was a Bill now before Parliament, the Westminster Improvement Bill, which displaced 3,500 persons; and the Westminster Commissioners, who had charge of the improvements, reported on the Bill that it made no provision for the location of the persons who would be thus displaced, as the main object they had in view was the improvement of the sanitary condition of Westminster. It might be very important for the sanitary condition of London that narrow thoroughfares should be removed. No doubt the persons to be displaced belonged to a class for which very little could be said; nevertheless, they were men and women, and if their Lordships gave authority for such wholesale removals of the population, they made themselves to some extent responsible for the overcrowding of other districts, and for the consequent miseries which ensued. He hoped the promoters of this scheme would not be permitted to proceed with it until they had satisfied a Committee that they had considered the subject of providing accommodation for the displaced population more closely than their remark seemed to imply.

Motion *agreed to.*

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, February 13, 1865.

MINUTES.]—New Writ Issued—*for* Tipperary County *v.* The O'Donoghue, Chiltern Hundreds.

Select Committee—On Public Petitions.

Supply—*considered in Committee — Resolution* [February 10] *reported.*

Public Bills—*Resolutions* [Feb. 10] *reported*—Bank Notes Issue ;* Bank of Ireland (Consolidated Fund).*

Ordered—Bank Notes Issue ;* Bank of Ireland (Consolidated Fund) ;* Prisons ; Game Licences (Ireland) ;* Small Benefices (Ireland) Act (1860) Amendment ;* Dublin International Exhibition (1865) ;* Land Debentures.*

First Reading—Bank Notes Issue [12] ;* Bank of Ireland [14] ;* Small Benefices (Ireland) Act (1860) Amendment [13] ;* Prisons [15] ; Game Licences (Ireland) [16] ;* Dublin International Exhibition (1865) [17].*

Second Reading—Qualification for Offices Abolition [2].

Referred to Select Committee—Qualification for Offices Abolition.*

DISTRICT JUDGES (INDIA).

QUESTION.

Sir HUGH CAIRNS asked the Secretary of State for India, Whether the Legislative Council of India have passed an Act enabling District and other Judges in India to enforce specific performance of personal contracts by sentencing the Defendants in actions on such contracts to terms of imprisonment; and whether he will lay the Act upon the table?

Sir CHARLES WOOD said, that no such Act had passed the Legislative Council, and consequently he could not lay it upon the table of the House. In a proposed measure for the enactment of a code of civil procedure, as it had first been circulated, there were clauses of the nature indicated by the question of the hon. and learned Gentleman; but it was not now intended to submit those clauses in the form in which they then stood to the Council. No object, therefore, would be attained by laying them upon the table. Before the proposed code could come into operation, it must be sent here for the approval of the home authorities; a long time, therefore, must elapse before it could take effect.

IRISH MAIL SERVICE.

QUESTION.

Mr. SCULLY asked the Secretary to the Treasury, Has the attention of Her Majesty's Government been recently directed to the great and increasing delays and irregularities in performing the Irish Mail Service, under the Postal Contract of the 3rd of January, 1859; and is it intended, on the part of Her Majesty's Government, either to determine that contract soon after the 1st of October next, or to place the Postmaster General in a position to enforce its due performance, pursuant to the 10th and 11th clauses, in accordance with the Report made on the 14th of July, 1863, by the Select Committee appointed to inquire into the state of Holyhead Harbour?

Mr. PEEL said, that the Irish mail service had of late been performed very irregularly. During the year 1864 the occasions on which the contract time was not exceeded had been comparatively few. The consequence had been that the Government and the Post Office authorities had felt considerable dissatisfaction, and the Post Office authorities had recently expressed it to the contractors. The Government had not been able to enforce the penalty clause of the contract of 1859, because that clause was by the contract suspended until the Government had provided the necessary pier accommodation. As the hon. Member was aware, works had during the past year been in progress at Holyhead with that object, and as soon as the Treasury was informed by the Board of Trade that those works had been completed they would have to consider whether the Government had not provided every reasonable facility for the performance of the mail service, and whether the penalty clause might not properly be put in force. As to the second part of the question, he had to inform the hon. Gentleman that the irregularities in respect of which the rights of the Government were to arise must occur after the completion of five years of the period of the contract, and, therefore, those of last year could not be taken into account. When the service had been performed for five years the Government would have the power, if the service did not give satisfaction, to terminate the contract and purchase the packets of the company.

FORFEITURES ON CONVICTION OF FELONY.—QUESTION.

MR. CHARLES FORSTER asked the Attorney General, Whether, in pursuance of his engagement of last Session, he is prepared to introduce a Bill, at an early period of the present Session, to alter the law of Forfeiture on conviction of Felony?

THE ATTORNEY GENERAL said, that a Bill on the subject was in preparation, but he could hardly say he was prepared to introduce it this Session.

MAIN DRAINAGE (METROPOLIS).

QUESTION.

VISCOUNT ENFIELD asked the hon. Member for Bath (Mr. Tite), as a Member of the Metropolitan Board of Works, The progress made in the Main Drainage of the Metropolitan District, and when the same will probably be completed?

MR. TITE said, he would endeavour to answer the two Questions of the noble Lord. The main drainage was very nearly completed. On the Surrey side, with one or two slight exceptions, the drainage was entirely completed; the exceptions were, a short length of sewer at Putney, and the setting to work of the pumping engines at Crosness. On the Middlesex side there were three lines of sewers. The high level was entirely finished, and so was the middle level. These were in a state of complete operation, and the intentions of those who projected them had been carried into effect. The only work remaining was the sewer connected with the Thames Embankment, but this was proceeding as rapidly as possible. On the last inspection which was made of this sewer, the Metropolitan Board found that a considerable length of it had been completed, and they passed through from 300 to 400 feet of it. This sewer, from its position, would be completed long before the embankment. As to the second Question, the time at which the works would be completed, the engineer, in his report of the 2nd instant, said that the main drainage works both on the north and south sides of the Thames would be completed, and come into operation, by the 29th of March next, with the exception of the low level sewer on the north side, which was connected with the Thames Embankment. This would not come into complete operation until the embankment was far advanced, which might probably be in a couple of years. The total cost of the entire works would be about £4,000,000 of money. The total length of the sewers was fifty miles, and the total area drained was 115 square miles.

CONSTABULARY (IRELAND)—CLOTHING.

QUESTION.

MR. VANCE asked the Chief Secretary for Ireland, The cause of the delay in supplying the Irish Constabulary and Police with their clothing; and if any arrangements are made to prevent the recurrence of it in future?

SIR ROBERT PEEL said, that the clothing in question had formerly been supplied by the War Department, but this year the experiment had been made of giving the contract to a firm at Limerick, and some delay had occurred in the deliveries. He hoped that the question of the hon. Gentleman would not, as it might, produce any inconvenience to the securities for the contract.

MR. VANCE asked, whether another Irish firm had not the contract last year?

SIR ROBERT PEEL: Yes; but not for the same work as is to be done by the Limerick firm.

INDIA—AFFAIRS OF BHOOTAN.

QUESTION.

LORD STANLEY asked the Secretary of State for India, Whether he will lay Papers on the table showing the present state of affairs in Bhootan, especially with reference to the recent acquisition of territory in that country?

Sir CHARLES WOOD said, that had it not been necessary to go back some time in order to make the history of those transactions intelligible, he should have laid the papers on the table as soon as Parliament met; but they were in course of preparation, and would be produced as soon as they were ready. The extent of our acquisition would be confined to the occupation of a line of forts to protect our own territory.

GRAND JURIES (IRELAND).

QUESTION.

Mr. HASSARD asked the Chief Secretary for Ireland, If it is his intention to introduce any Bill for the alteration of the Laws relating to Grand Juries in Ireland: and, if it is his intention so to do, if he will lay such Bill upon the table of the House in sufficient time to be submitted to the several Grand Juries now about to assemble in Ireland?

Sir ROBERT PEEL said, that in the course of the discussion last year upon the Bill introduced by the hon. Member for Waterford, which the House refused to read a second time, his right hon. and learned Friend the late Attorney General for Ireland and himself undertook to consider this question during the recess. They had considered it; but, as they had not received from any part of Ireland a single representation that the present system was not working satisfactorily, or in favour of any measure upon the subject, they had not thought it right to recommend the introduction of any Bill upon the subject.

MOORINGS AT CALCUTTA (INDIA).

QUESTION.

Sir JAMES ELPHINSTONE asked the Secretary of State for India, If anything as yet has been determined on towards replacing the defective moorings that were carried away bodily during the cyclone of October last in the Calcutta river; and whether some more efficient plan or appliance ought not now to be tried, in order to prevent, as far as possible, the recurrence of similar shipping disasters?

Sir CHARLES WOOD said, that a despatch had been addressed to the Government of India at Calcutta, calling their attention to this subject, but it was crossed by another from that Government asking for a supply of screw piles, with mooring chains attached. Some doubts being entertained as to the sufficiency of the piles for which they had asked, he had appointed a small committee of officers of the Indian navy and Bengal marine, who were all acquainted with the Hooghly, to consider and report to him how it would be most desirable to comply with the desire of the Government of India. As soon as he had received their report, it would be his duty to send out the necessary materials by the overland route.

WESTMINSTER BRIDGE (METROPOLIS).

QUESTION.

Mr. LOCKE asked the First Commissioner of Works, Whether it is intended to remove the obstructions erected along the centre of the carriage road over Westminster Bridge; and why heavy vehicles are now not allowed to pass along the tramways, for the convenience of which, it was said, they were constructed; and why light vehicles are now compelled to pass along these tramways, contrary to the original arrangement?

Mr. COWPER said, that the present arrangement was part of the original design, but it was one of which he never approved. In July last, he had requested Mr. Page to prepare a plan for the removal of the tramways from the centre to the side of the bridge. He thought it desirable that there should be tramways to facilitate the passage over the bridge of heavy vehicles, but that they should be constructed without flanges. Tramways in accordance with that plan would be laid down in about a month; the centre of the roadway, being macadamized and made smooth, would be reserved for light traffic.

NEW COURTS OF JUSTICE SITE.

QUESTION.

Mr. WALTER asked the First Commissioner of Works, Whether he has any objection to lay on the table of the House a Return showing the number of houses at present standing on the site proposed to be taken by the Government for the erection of the new Courts of Law, and also the amount of the Population residing in those Houses?

Mr. COWPER said, there would be no difficulty in furnishing a Return specifying the number of houses on the site in question, but he could not at present state whether the information required with respect to the number of the population could be given. Whatever information could be obtained on the subject he should be happy to lay on the table of the House.

PRIZE MONEY (INDIA).

QUESTION.

MR. COX asked, When the Central Indian prize money will be distributed?

SIR CHARLES WOOD said, that the question of the distribution of the Central Indian prize money had been the subject of discussion in that House last Session, and that his noble Friend at the head of the Government had then announced it to be his intention to abide by the decision of the Admiralty Court with respect to it. That decision had not yet been pronounced, and no distribution could in the meantime take place.

SAFFRON HILL MURDER.

QUESTION.

MR. LAWSON asked the Secretary for the Home Department, Whether he has made arrangements to delay the execution, fixed for next Wednesday morning, of Pelizzioni, the Italian convict, now under sentence of death for the murder committed at Saffron Hill?

SIR GEORGE GREY: I have given no directions on the subject. A memorial with respect to the case generally has been presented to me by Italians, and it is now under the consideration of the Judges who tried the case. I have not yet received their report upon it.

MR. BRIGHT said, he wished to ask the right hon. Baronet whether he did not think the case was one which suggested his interference without regard to any memorial with respect to it.

SIR GEORGE GREY said, the facts upon which the application for his interference was based were contained in the memorial which had been drawn up by certain Italian gentlemen and presented to him through the Italian Minister, and that he had taken the only course open to him, which was to refer it immediately to the Judges for their opinion.

MR. BRIGHT: I should like to know whether the memorial was presented to the right hon. Gentleman before the date of the confession of the murder alleged to have been made by another Italian.

SIR GEORGE GREY: I really think it does not conduce to the administration of justice that such questions should be put. I am not aware that any other Italian has confessed that he committed the murder. The memorial was presented to me on Friday last.

SUPPLY.

Resolution, "That a supply be granted to Her Majesty," *reported,* and *agreed to, Nemine Contradicente.*

SUPPLY—Committee appointed for *Wednesday.*

QUALIFICATION FOR OFFICES ABOLITION BILL.—SECOND READING.

Order for Second Reading read.

MR. HADFIELD said, this Bill having been repeatedly discussed, he introduced it—acting upon the recommendation which had been made to him by one or two Gentlemen for whose opinions he had the highest respect—with a view to its being referred to a Select Committee, and on the understanding that that course was to be adopted, he moved that the Bill be read a second time.

Moved, That the Bill be now read a second time.—(*Mr. Hadfield.*)

MR. NEWDEGATE said, he did not propose to interfere with the understanding referred to by the hon. Member for Sheffield, as existing in the House; but he thought it necessary, having six times opposed the passing of this Bill, and it passed the House by a majority of only two last Session, to beg the House to allow him to state distinctly that his objection to the principle of the Bill remained totally unabated. The hon. Member was a very skilled and successful blockade-runner up to a certain point. He had six times, by dexterous management, induced that House to allow the Bill to go to the House of Lords, and six times it had been rejected by that House. Perhaps the House would allow him to refer to the substance of this Bill. In 1828, when the Test and Corporation Acts were repealed, it was enacted that members of the municipal corporations, and the high officers of State, as well as other officials, should make a declaration that they would use no power accruing to them, and no influence accruing to them by virtue of their office, for the purpose of attacking the Church of England, or dispossessing the bishops or clergy, or the Church as a corporation, of the property or rights to which they were entitled by law. Nothing could be more reasonable than that declaration, because so long as the Church continued united to the State, it was but reasonable that the powers of the State should not be used to the detriment of the Church, or of the property or rights guaranteed to her by the State; but to this declaration the hon. Member for Sheffield, and those who went with him, objected, on the part of certain persons who professed that they did not desire to attack the Church in any way. It never seemed reasonable to the other House to relieve Gentlemen of the necessity of making a declaration that they would not do that which they professed they had no intention of doing. He was aware that the hon. Member for Sheffield (Mr. Hadfield) had pointed out that although the great officers of State, and many of the officials of the Government, were compelled by law to make this declaration, they did not make it, but he omitted the fact that the lapses in this respect are not unreasonably covered by the Indemnity Act. For what was the truth? The oaths taken by them on entering office were to the same purport as the declaration; and, therefore, if those officials did not make the declaration, the oaths which they had taken were sufficient, effecting the same purpose, and the omission of the declaration was covered by the Indemnity Act. But in the case of the members and officers of corporations no such oaths were taken to prevent a collision between the powers of the State and the rights of the Church; the two cases were not parallel, and, therefore, Lord John Russell in 1828, with the concurrence of the late Sir Robert Peel, retained this declaration, the substance of which was recognised by the Act of 1829 for the removal of the Roman Catholic disabilities; again in the act touching Moravians and Quakers; and again in the act by which Jewish Members assumed their seats in that House. This, therefore, was a fundamental compact, renewed up to a period within six years of the present time. He pointed out these facts to show that the House was about to delegate to a Select Committee the consideration of one of the gravest principles which could be brought under the cognizance of the House, or to which its attention could be drawn. Having pointed these circumstances out as a reason for guarding himself from being supposed in any way to have relaxed his objections or his opposition to the principle of the Bill, he thanked the House for allowing him to make this statement.

Motion *agreed to.*

Bill read 2° and *committed* to a Select Committee.

And on March 1, Select Committee *nominated,* as follows: —

Mr. Hadfield, Mr. Peel, Mr. L. King, Sir John Trelawny, Mr. W. E. Forster, Mr. Bright, Mr. Remington Mills, Mr. Baines, Lord Robert Montagu, Sir Brook Bridges, Mr. Edward Egerton, Mr. Sclater-Booth, Mr. Mowbray, Mr. R. Long, and Mr. F. S. Powell:—Five to be the quorum.

PRISONS BILL.

LEAVE. FIRST READING.

Sir GEORGE GREY, in moving for leave to bring in a Bill to consolidate and amend the law relating to prisons, said: In the course of last year I proposed and obtained leave to bring in a Bill to amend the law relating to prisons. That measure was founded mainly on the recommendations of the Select Committee of the House of Lords, which sat in the preceding Session; and the object of the Bill was to give effect to certain of those recommendations with a view to insure greater uniformity both in the construction of prisons and in the discipline and treatment of the prisoners, and also to insure the enforcement of sentences of hard labour, with respect to which the evidence taken before the Select Committee showed that there had been, in some instances, great defects under the existing law. The Bill contained some provisions, also in accordance with the Report of the Committee, for the discontinuance of certain prisons, either unnecessary from local circumstances, or which from their construction and size, or from the smallness and inefficiency of their staffs, were utterly inadequate for the purpose for which they were intended —namely, the proper confinement of prisoners. That Bill was read a second time by a considerable majority, and its principle generally approved. But among those who approved its principle and supported the second reading, there were differences of opinion with regard to the extent to which it should be applied, some thinking that it did not go far enough, and that certain provisions were omitted which ought to be included in any efficient Bill for the amendment of the prison law.

The Bill was committed *pro formâ*, when certain alterations were made in it; but, at a late period, after the discussion which had taken place, it was thought better to withdraw the Bill for the Session, with a view to give greater consideration to the subject generally, during the recess, and especially to consider how far the suggestions to which I have referred could be embodied in the Bill. The only difference of opinion between myself and those who made these suggestions was not as to the objects to be attained, or the expediency of attaining them, but simply as to the practicability of laying down rules in an Act of Parliament which would effect the objects in view. During the recess, I have given a great deal of consideration to the subject, and as the result of that consideration I am now moving for leave to introduce the present Bill. The first suggestion—one which must naturally occur to any one who endeavoured to extract from the many Acts through which they are scattered the provisions affecting the construction of gaols and the treatment and discipline of prisoners — is that it was desirable to consolidate the existing law. The present law is scattered over a great variety of Acts. It is forty-two years since the last consolidation on this subject was attempted. In the year 1823 the 4th *Geo.* IV. c. 64, was passed, and the preamble to that Act is very nearly applicable to the state of things which we have now to deal with. But since that period much experience has been obtained upon the subject, and a great alteration of opinion has taken place, in some respects founded upon that experience. I may add, that great improvements have been made both in the construction of prisons and in the enforcement of prison discipline since that period. That Act was deficient in an important particular, for it only applied to county prisons, and to a limited number of prisons in cities and towns, omitting the great bulk of what we term borough prisons. No sooner was that Act passed, than it became necessary to amend it. Other Acts were passed in the fifth, sixth, seventh, and succeeding years of the reign of George VI., adding supplementary provisions to those contained in the 4th *Geo.* IV. c. 64. In fact, scarcely a year passed that some enactment applicable to prisons was not sanctioned by the Legislature. The principal Act passed since the consolidating statute was that passed in the second and third years of the reign of Her present Majesty, extending the former Act to all county and borough prisons, except those appropriated exclusively to debtors. Even with regard to statutory rules, forming but a small portion of the rules applicable to prisons, it is necessary to look into these two Acts passed at so considerable an interval; these rules, moreover, are not classified according to their different nature, so that it is exceedingly difficult to ascertain exactly what is the law upon any particular point. I propose, therefore, in the present Bill, to consolidate the main provisions of the existing law on these subjects — as to the construction and maintenance of prisons, as to the appointment and duties of officers, and as to the discipline and treatment of prisoners; in doing which it will be necessary to repeal, wholly or in part, a variety of statutes, thirteen, I believe, in number, which are now in force. The Bill is essentially one of great detail, and I will not do more on the present occasion than sketch the outline of its provisions; I shall not enter into minute points until it is printed and in the hands of Members, which I hope will be the case in a very few days, for the Bill is now in type, and only awaits revision on some few points requiring care and attention. The Bill will be not only a Consolidating Bill, but one for the amendment of the law. The object of these amendments will be to secure such a construction of prisons as will provide facilities for the separation of prisoners, and insure that separation; and, further, these amendments will secure the providing of means in every prison for enforcing sentences of hard labour, and will require that the prisoners are actually subjected to the hard labour to which they are sentenced. The mode in which it is proposed that this shall be done is that the Treasury allowance for the maintenance of prisoners shall be withheld, where it appears by a certificate of the Secretary of State that the requirements of the law in these respects have not been complied with. Ample opportunity will be given to the prison authorities for making a statement of facts in their own justification before any certificate is given; and in every such case the facts and reasons for the course pursued will be laid before Parliament. The procedure in these cases will resemble that under the Constabulary Act, which has worked so well that this principle may well be adopted with regard to prisons. It is also proposed that if, after a considerable interval, no efficient means are taken to comply with the requirements of the law, the prisons in question shall be discontinued, and the prisoners removed to other prisons; the prison authorities of the discontinued gaol becoming liable to the same expenses for their maintenance to which they would have been liable before. There will be a schedule attached to this Bill of prisons either unnecessary or so bad in construction and management as to make it undesirable that they should be retained. There are two subjects of great importance, regarding which suggestions were made in the course of the debates last year, to which I wish to refer. The first of these is the definition of "hard labour." A desire was expressed that this should be clearly defined so that no discretion should be left to those who have the management of prisons with regard to the manner of enforcing it. The second was that the rules, instead of being made under authority derived from Parliament, should, as far as possible, be made by Parliament itself, and be contained in a schedule to the Act. With regard to hard labour, I stated last year the difficulty I felt in framing an exhaustive definition of hard labour. It is very easy to say that certain employments shall be considered hard labour; but it is impossible, without subjecting the authorities of prisons to great inconvenience and depriving them of their fair discretion, to say, as recommended by the Lords' Committee, that hard labour shall consist of nothing else but the treadwheel, crank, and shot-drill. There are, indeed, places where hard labour is enforced, and well enforced, where these particular forms of punishment are not adopted. It is, however, desirable that there should not be the same amount of discretion left to the authorities as to what is hard labour as at present. I propose, therefore, to enumerate certain kinds of hard labour, with a view to indicate generally the views of Parliament on the subject. After that I should propose to give to the visiting justices, with the concurrence of the Secretary of State, a discretion as to what kind of hard labour shall be adopted where the enumerated kinds are not or cannot be enforced. A maximum of hours, during which certain kinds of hard labour can be enforced in a day, now exists by law. I propose that there shall be also a minimum to be undergone by persons during the earlier part of a prisoner's sentence. I have adopted this view after communication with persons of experience, who think it extremely desirable, in order to stimulate the industry and good conduct of prisoners, that power should be given to the magistrates to diminish even the minimum amount of hard labour after a certain period of the sentence has expired. I recently visited, in company with Sir W. Crofton, Winchester Gaol, where a new system has been brought into operation, and where, from all appearance, it is answering exceedingly well. I found there the treadwheel and crank in full operation. Prisoners sentenced to hard labour are employed in that way during the earlier period of the sentence, and that for a considerable portion of every day. But I found also that one-fourth of the prisoners—and that, I was informed, is the ordinary average—are placed on a non-effective list, and are never transferred to the effective list. The consequence is that though sentenced to hard labour they are not put to that kind of labour which applies to the ablebodied man, but to other kind of labour, such as oakum-picking, which men of no great physical strength are able to perform. I found that after some months of strict enforcement of hard labour, when a prisoner has been industrious and well conducted, the visiting justices make it a rule that there shall be a gradual diminution of the hard labour, and before the end of his imprisonment the prisoner may be altogether released from that species of labour. If this practice answers well, I think it would be inexpedient to deprive the justices of this discretion, by which the discipline of the gaol may be more efficiently kept up. The Bill will be so framed as to meet, as far as possible, such a system of discipline as prevails at Winchester. With regard to the rules applicable to prisons, there are some which are statutory rules, being contained in two Acts of Parliament, while others have been made by the visiting justices from time to time with the concurrence of the Secretary of State. Some rules are general, while others are applicable to one prison and not to others, and these rules are far more numerous than those which are statutory. I have had both classes of rules very carefully revised, and have endeavoured to make a code classifying them according to the subject-matter. I propose to insert them in the schedule of the Bill, so that they will, if the Bill pass, be generally binding upon all prisons throughout the country. Still there may be, and must be, exceptional cases, and I propose still to reserve power to the visiting justices, with the consent of the Secretary of State, to make supplementary rules, provided they are not inconsistent with those enacted by Parliament. With regard to the question of dietary, I have found it impossible to insert any fixed dietary in the Bill. Dietaries differ very widely in different parts of the country, according to the food of the labouring population; and to have one uniform scale from north to south and from east to west would not be generally approved by those who have had the greatest experience. I sent the dietary tables suggested by the Committee to whom this subject was referred to the authorities of every prison in the kingdom. In some prisons they have been adopted, and in others reasons have been given for not adopting them. These reasons the House will have an opportunity of considering before the Bill is disposed of. They have brought me to the conclusion that you cannot lay down absolutely a fixed dietary scale, and that if you have a maximum and a minimum the difference would be so wide that it would be of little use. The recommendations of the Committee, however, have led to improvement in the existing dietary tables, and to a greater approximation to uniformity than has prevailed at any former period. With regard to supplementary rules, which it is proposed to leave the magistrates the power to make, they will be comparatively few. If the House adopt the schedule which I propose to add to the Bill, it will contain nearly all that is essential to the discipline and management of prisons. The Bill of last Session contained certain provisions with respect to the discontinuance of certain prisons. I have been asked by the hon. Member for Devizes (Mr. Darby Griffith) whether I propose to include the prison at Abingdon in the schedule. Last year I inserted clauses in the Bill with regard to Abingdon Gaol, which I proposed should be discontinued. The Quarter Sessions for Berkshire had adopted a resolution in favour of the discontinuance of that prison, and it appeared to me that Berkshire is not a county in which it was necessary that two county prisons should be maintained. I have subsequently received many communications on the subject, and evidence from the proceedings of the Quarter Sessions, which showed that very great difference of opinion exists among the justices, and that their decision was by no means unanimous. As the question is chiefly one of expense, and, therefore, to be decided by the magistrates and inhabitants of the county; and as very conflicting opinions have been expressed in different parts of the county, I think that the case stands on an entirely different footing from that of the other prisons inserted in the schedule, and which, by the reports of the Prison Inspectors, are unfit for the reception of prisoners. I have not, therefore, inserted Abingdon in the schedule of the present Bill. At the same time, it is quite competent for the hon. Gentleman or any one connected with Berkshire to raise this question, and if they can show that a desire exists on the part of the magistrates or the ratepayers generally that the prison shall be abolished, I shall find it difficult to give a good reason why it should be retained. It is, however, a question of local convenience and local interest, and not one which necessarily forms a part of a Bill of this kind. I have now given the House a general sketch—and it would be impossible to do more—of the provisions of the Bill. It has been a work of great labour to effect this consolidation and revise the rules, and I can hardly hope that it has been accomplished in such a way as to prevent an experienced eye from discovering many imperfections in it. The question appears to me to be one eminently fit for the consideration of a Select Committee. If, therefore, the House should agree to the introduction and second reading of the Bill, I should propose to refer it to a Select Committee, by whom all matters of detail can be carefully considered. I hope that Gentlemen of experience will consent to assist in such a Committee, and I think that when the Bill comes down to us it will, if sanctioned by Parliament, effect a great improvement in the present law, make it easier of administration, and promote the great objects of prison legislation. The right hon. Baronet concluded by moving for leave to bring in a Bill to consolidate and amend the law relating to Prisons.

SIR FRANCIS GOLDSMID wished to remark with regard to Abingdon Gaol that the Court of Quarter Sessions had expressed an opinion that it was unnecessary. The average number of prisoners in it was only five. Large counties found one prison quite sufficient, and the question was whether the county of Berks was to continue to be taxed for the benefit of a few inhabitants of Abingdon and the officers of the gaol. He trusted that Abingdon would yet be inserted in the schedule.

Mr. NORRIS said, there had been repeated discussions of the subject at the Quarter Sessions in the last ten years, but out of ten divisions there had been six in favour of the gaol, and four only for its removal. The county was almost equally divided on the subject: the majority of the magistrates were desirous that the Sessions should always be held at Reading, but the majority of the inhabitants desired that they should be held at Abingdon, and, therefore, desired that the gaol should be retained. Now, as the convenience of the ratepayers was involved in the retention of the gaol, he hoped no further steps would be taken to do away with it.

Mr. WALTER thought that the reasons which had been just alleged by his hon. Friend were quite sufficient to induce the House to consent that Abingdon Gaol should be included in the schedule, with a view to the subject being considered by the Select Committee. That was all the favour he (Mr. Walter) sought. The county of Berks had been in a state of dissension for many years past, owing to the continuance of the gaol, which had been a great bone of contention. The specific advantage which his hon. Friend the Member for Abingdon (Mr. Norris) claimed for the gaol would scarcely be sufficient to induce the House to retain it. His hon. Friend did not speak of it as a gaol required for the accommodation of prisoners, for that was not the case, but merely looked to the local convenience of jurymen, who would have to come twice a year to Abingdon. That was about the sum and substance of the advantage of retaining the gaol. But, on the other hand, it entailed a loss upon the county of £500 a year. As it was impossible to dispose of the question except by legislation, he thought the House would hardly refuse to refer it to the Select Committee, and when the time should come, he should make a Motion with that object.

Sir BALDWIN LEIGHTON said, that when Bills were brought in referring to statutes which required great alterations, all the former laws ought to be repealed, and the whole brought under one Act. His brother magistrates would bear him out when he spoke of the great difficulty which was felt when they had to wade through a great many Acts of Parliament. Now the gist of the present Bill was the consolidation of all the statutes into one. With regard to the questions of dietary and hard labour, it would, in his opinion, be dangerous to lay down one stringent rule. The visiting justices, with the sanction of the Secretary of State, should be allowed some slight power of alteration, if they found it necessary. The Government at present paid only the cost of prisoners who were sent to penal servitude, and that was a point upon which they would do well to be more liberal. He saw no reason why Government should not pay the whole cost of those who were convicted both at Quarter Sessions and Assizes.

Mr. NEATE said, that one of the great difficulties at present experienced was the want of uniformity in the treatment of prisoners. The Lord Chief Justice had recently stated that the treatment was so different in different counties that the Judges did not know what they were sentencing a prisoner to when they sentenced him to twelve months' imprisonment. Now he (Mr. Neate) did not think the provisions of the Bill sufficient to secure that uniformity. The only security for ensuring uniformity was that the Treasury should withhold its payments if the regulations were not complied with. He agreed with the hon. Baronet who had just spoken, that the State ought to be more liberal in its dealings with the country magistrates; but, in return, the State ought to exact a greater control over the treatment of the prisoners. He held that the appointment of the Governors of the county prisons ought to be subject to the approval of the Home Secretary, in the same manner as the managers of workhouses were subject to the approval of the President of the Poor Law Board, and they should not be dismissed without the approval of the Secretary. A very remarkable election to a county gaol had lately taken place in the West Riding, and it was his intention to bring that subject under the notice of the House, if possible, to-morrow, by moving for a Return in connection with that election.

Mr. ADDERLEY said, he thought the right hon. Gentleman the Home Secretary had faithfully redeemed the pledge which he gave to the House in the last Session, to deal with this important subject by a Consolidation Act. The right hon. Gentleman had had last Session a difficult task in dealing with two Reports —the Report of the Royal Commission on Penal Servitude, and the Report of the Lords' Committee on Prison Discipline. He had, in fact, to revise at once our whole secondary system of punishment. The right hon. Baronet had dealt first with penal servitude, but not so as to dispense with tickets-of-leave, but retaining them with conditions which he himself condemned, and he did not deal with the subject by way of consolidation. Since the end of last Session the last trace and vestige of transportation had been absolutely abolished, and now that the substitution of penal servitude was complete, it was high time to consolidate the law relating to it. But with regard to prison discipline, it was satisfactory to know that the right hon. Gentleman was about to attempt to consolidate the law. The Acts of George the Fourth and William the Fourth were the two principal Acts on that subject, and both contained schedules of gaol rules; the last, to a certain extent, repealing those of the first—so that it was very difficult for any one to say what were the prescribed gaol rules for the whole kingdom. There were many minor Acts in the statute-book upon prison discipline which would all be repealed by this Bill, and the law relating to prison discipline, if the Bill passed, would be in future contained in one statute only. That would be a most uesful piece of legislation, and he hoped the right hon. Gentleman would succeed. He did not quite gather that the Bill carried out fully the recommendations of the Lords' Committee in all points. The most material recommendations were, uniformity of rules, uniformity of classification, and the definition of hard labour. He understood the Bill provided uniformity of rules in all the gaols in the kingdom, as far as possible. With regard to dietary, however, the right hon. Gentleman seemed to think it difficult to adopt the Report of the three Medical Commissioners to whom he referred this subject, and fix a maximum and minimum dietary, the effect of which would be to restrict the wide discrepancies which had hitherto existed. He would find, however, that on an approximately uniform dietary depended the possibility of a definition of hard labour. He thought the discretion of the magistrates and of the Secretary of State with respect to the treatment of prisoners in gaols should be limited, and that such treatment should, as far as possible, be defined by law. He understood the right hon. Gentleman had attempted to define hard labour. He hoped he would receive the cordial support of the House in carrying out a measure of such signal importance.

MR. DARBY GRIFFITH said, that in reference to Abingdon Gaol the point to be considered was, whether the Home Secretary should take the opinion of a gentleman who was avowedly interested in the locality, or whether he should act on the authority of the Government Inspectors and of a Committee of the House of Lords. As the right hon. Gentleman now seemed inclined to hear both sides, he had no doubt he would be favoured with much further information. The dissension that prevailed in the county on this subject had resulted in a compromise of a peculiar nature—namely, that the civil business should be transacted at Reading, and that then the proceedings should be adjourned to Abingdon to complete the criminal business. In this way twenty-two prisoners had been taken from Reading to meet two prisoners at Abingdon and be tried there. Such a state of things ought not to continue. He must, therefore, support the proposal of the hon. Member for the county (Mr. Walter) that this gaol should be restored to its place in the schedule, and he hoped that the right hon. Gentleman would in the meantime take an opportunity of learning what the opinion of the county was upon this subject.

SIR GEORGE BOWYER said, he had represented to the right hon. Gentleman that this was not a question to be dealt with by Act of Parliament, but that it ought to be left to the decision of the magistrates of the county. It had been represented to the Home Secretary that the magistrates were agreed as to the necessity of abolishing Abingdon Gaol; but he had informed the right hon. Gentleman that this was not so, and that the Inspector had been completely misled in the Report he had made. The fact was, that at the Reading end of the county property was much divided, and the consequence was that the magistrates there far outnumbered those at the Abingdon end; so that the question of Abingdon Gaol having been for many years a sort of party question, when a whip of the magistrates at the Reading end was made, no sufficient force could be brought up on the other side to counterbalance them. But the interests of the Abingdon end of the county ought not to be forgotten; and he trusted, therefore, that the right hon. Gentleman would persevere with his intention of leaving the question to be settled by the magistrates instead of dealing with it by Act of Parliament. If Abingdon Gaol were done away with, the sessions and assizes must be held at Reading, and the sessions for Abingdon could not be held at all, so that the criminal jurisdiction would be entirely taken away from that end of the county, and great inconvenience and hardship would thus be inflicted upon jurymen and witnesses there resident. There was a tendency to take everything to Reading, but he thought that exceedingly unjust, and he should always continue to resist that encroachment on the part of the Reading end of the county. At present there was an agreement between the borough of Abingdon and the county, by virtue of which the gaol could not be abolished; and if Parliament stepped in to break that agreement it would be exceedingly unjust. [Mr. DARBY GRIFFITH: It might be a subject for compensation.] He did not see how any money payment could be a compensation to the jurors and witnesses. The inconvenience sustained by jurors and witnesses could not be made the subject of a money compensation. It was to be hoped that the Member for the county would not interfere to inflict a hardship upon a large portion of his own constituents, for if so he would very likely hear of it at the next election.

MR. GATHORNE HARDY reminded the House that it was discussing a point not as yet raised in the proposal of the Government. Abingdon at present was only conspicuous by its absence from the Bill, yet five speeches had already been made on the subject, and promises had been made of many more on the same subject on future occasions. With respect to the Bill itself, the country would be deeply indebted to the Home Secretary if he succeeded in consolidating, in a satisfactory manner, the law relating to gaols. He had attended carefully to the statement of the right hon. Baronet; and seeing many of the difficulties he had alluded to, he agreed that a Committee of the Whole House would not be so likely to arrive at a satisfactory conclusion as a Committee upstairs.

Motion *agreed to.*

Bill to consolidate and amend the Law relating to Prisons, *ordered* to be brought in by Sir GEORGE GREY and Mr. BARING.

Bill *presented,* and read 1°. [Bill 15.]

Sir George Bowyer

GAME LICENCES (IRELAND) BILL.

LEAVE. FIRST READING.

SIR ROBERT PEEL moved for leave to introduce a Bill to extend the powers now vested in justices of the peace to grant licences to deal in game to the divisional magistrates within the police district of Dublin metropolis.

CAPTAIN ARCHDALL reminded the Chief Secretary for Ireland that during last Session he had complained that Sir Henry Brownrigg had put an interpretation upon the Poaching Amendment Act entirely different from that put upon it by the English Courts; the consequence of which was that it was practically inoperative in Ireland. The right hon. Baronet had held out some expectation that Sir Henry Brownrigg would be requested to revise his decision; but he (Captain Archdall) had recently ascertained that the instructions to the police as to apprehending persons carrying game or poaching materials remained unaltered. He trusted that the right hon. Baronet would give the subject his earliest attention.

Motion *agreed to.*

Bill to extend the powers now vested in Justices of the Peace to grant Licences to Deal in Game to the Divisional Magistrates within the Police District of Dublin, Metropolis, *ordered* to be brought in by Sir ROBERT PEEL and Mr. BARING.

Bill *presented,* and read 1° [Bill 16].

BANK NOTES ISSUE BILL.

Resolutions [February 10] *reported,*

1. "That it is expedient to make provision for empowering Country Banks of Issue to obtain relief from certain restrictions, upon payment from time to time of a certain charge in respect thereof."

2. "That any compensation payable by the Bank of England to any such privileged Bank for the determination of its right to issue Notes shall be repaid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland."

Resolutions *agreed to.*

Bill *ordered* to be brought in by Mr. DODSON, Mr. CHANCELLOR of the EXCHEQUER, and Mr. PEEL.

Bill *presented,* and read 1° [Bill 12].

BANK OF IRELAND (CONSOLIDATED FUND) BILL.

Resolution [February 10] *reported,*

"That the remuneration to the Bank of Ireland for management of the Public Debt in Ireland shall be paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland from and after the sixth day of April, 1865."

Resolution *agreed to.*

Bill *ordered* to be brought in by Mr. DODSON, Mr. CHANCELLOR of the EXCHEQUER, and Mr. PEEL.

Bill *presented,* and read 1° [Bill 14].

SMALL BENEFICES (IRELAND) ACT (1860) AMENDMENT BILL.

On Motion of Sir HUGH CAIRNS, Bill to amend "The Endowment and Augmentation of Small Benefices (Ireland) Act, 1860," *ordered* to be brought in by Sir HUGH CAIRNS and Mr. WHITESIDE.

Bill *presented,* and read 1° [Bill 13].

DUBLIN INTERNATIONAL EXHIBITION (1865) BILL.

On Motion of Sir ROBERT PEEL, Bill for the protection of Inventions and Designs exhibited at the Dublin International Exhibition for the year 1865, *ordered* to be brought in by Sir ROBERT PEEL and Mr. MILNER GIBSON.

Bill *presented,* and read 1° [Bill 17].

LAND DEBENTURES BILL.

On Motion of Mr. AYRTON, Bill to facilitate the raising of money by Debentures on the Security of Land, *ordered* to be brought in by Mr. AYRTON and Mr. COLLINS.

PUBLIC PETITIONS.

Select Committee *appointed,* "to whom shall be referred all Petitions presented to the House, with the exception of such as complain of undue Returns, or relate to Private Bills; and that such Committee do classify and prepare abstracts of the same, in such form and manner as shall appear to them best suited to convey to the House all requisite information respecting their contents, and do report the same from time to time to the House; and that such Reports do in all cases set forth the number of signatures to each Petition:—And that such Committee have power to direct the printing *in extenso* of such Petitions, or of such parts of Petitions, as shall appear to require it:—And that such Committee have power to report their opinion and observations thereupon to the House:"—Mr. BONHAM-CARTER, Sir JAMES FERGUSSON, Mr. CHARLES FORSTER, Mr. GARD, Major GAVIN, Captain GRAY, Sir EDWARD GROGAN, Mr. HOPE JOHNSTONE, Mr. LYALL, Mr. TAVERNER JOHN MILLER, Sir COLMAN MICHAEL O'LOGHLEN, Mr. HASTINGS RUSSELL, Mr. Alderman SALOMONS, Mr. OWEN STANLEY, and Viscount ENFIELD:—Three to be the quorum.

House adjourned at a quarter after Six o'clock.

* * *

HOUSE OF LORDS,

Tuesday, February 14, 1865.

THE LORD CHANCELLOR'S AUGMENTATION ACT.—RETURNS.

THE LORD CHANCELLOR: My Lords, in laying upon the table a Return of all Sales, &c., of Livings, and of the Augmentation of Benefices under the Augmentation Act, which I had the honour to introduce in your Lordships' House, I hope you will pardon me if I occupy your attention for a few moments while I briefly state the nature of this Return. The Return extends from February, 1864, to February, 1865. Since the Act came into operation the total number of advowsons sold is sixty-three, and the total amount of the purchase money £113,129. Of the entire sixty-three advowsons, sixty were scheduled, and three have been sold under the 23rd and 24th sections of the Act. The total sum of money produced by these sales has very greatly exceeded my expectation, and the proceeds have been applied by me, under the Act, for the augmentation of benefices. The sum produced by the three livings sold under the 23rd and 24th sections is £10,520, this amount being a portion of the £113,129, which represents the total amount of money dedicated by means of the Act to the augmentation of small livings. The amounts produced by the sale of the sixty livings which were scheduled are devoted to augmenting those livings solely; but the produce of the sales of the livings under the 23rd and 24th sections is applied to the augmentation of small livings generally in the gift of the Lord Chancellor. The course I have taken with regard to the £10,520 has been this:—I have caused a scheme to be prepared on the plan of augmenting a number of small benefices with £300 each, provided that an equivalent donation shall be provided from other sources; and I am happy to say that I have been able to augment eight with £300, equivalent benefactions having been provided from other sources. Therefore, with respect to these eight livings, there has been a sum of £2,400 applied to their augmentation. I have invited similar donations on similar terms with respect to other small benefices; but up to the present I have not succeeded in securing the augmentation of more than the eight to which I have just referred. The augmentation of these eight livings has reduced the sum of £10,520 by £2,400. Of the remaining sum, £500 has been appropriated for parsonage-houses, equivalent benefactions being provided in this case also. There is a further sum of £5,600 promised conditionally under pending schemes, leaving a balance of £2,020. This is the application which has been made of the produce of sales under the 23rd and 24th sections; and I trust it will prove very beneficial, first of all, in the augmentation of several small livings by the sums contributed under the Act and the equivalent amounts raised from other sources, and afterwards in the still further increase of the incomes of those benefices by still further augmentations, for I may add that those eight livings have been offered to the Ecclesiastical Commissioners for further augmentation. The result of the whole measure has been the application to the augmentation of small livings of a sum of £113,129. My Lords, we have received during the last year £57,829. The condition of the money market has rather stopped the sale of livings during the past year, but there is constant inquiry after them, and I have no doubt that the working of the Act will continue to exhibit satisfactory results.

THE EARL OF DERBY inquired whether the noble and learned Lord could inform the House what the average number of years' purchase had been in the case of the livings which had been sold under the Act?

THE LORD CHANCELLOR said, that as the Return did not exhibit that it would be a difficult thing to answer the noble Earl's question on the moment; but he might mention one or two cases which he saw set out in the Return. The first was that of an advowson producing a gross amount of £328 a year, and the outgoings of which were £66. The age of the incumbent was certainly high; it was 90 years. The price obtained was £5,000. In another case the gross amount of income was about £264, and the outgoings £48, leaving rather less than £216; the age of the incumbent was 75, and the purchase money £2,500.

ARMING OF THE CONSTABULARY (IRELAND).—PETITION.

THE EARL OF LEITRIM *presented* a Petition of Inhabitants of the Barony of Kilmacrenan against the Arming of Constables in Ireland, and for the Enjoyment of their Constitutional Rights. The noble Earl, who was very imperfectly heard, referred, in the first instance, to the murder of persons in the employ of Mr. Adare, in the county of Donegal, the perpetrators of which had never been discovered. This was a strong proof of the inefficiency of the armed police. The noble Earl then read, at great length, the correspondence between himself and the police authorities, the substance of which was that he had himself received a letter from a sub-inspector of police, informing him that he had information from a person on whom he could place reliance, and who was well acquainted with the feelings of the lower classes, that there was reason to believe that a conspiracy had been formed against his life, and that it would not be safe for him to travel about at late hours visiting his estates. He (the Earl of Leitrim) treated the information with contempt and indignation, believing it to be a base attempt to create ill-will and mischief between the gentry and the people. He, therefore, wrote to the sub-inspector demanding to know from whom he had received the information, and from what quarter the danger was likely to come; whether from malicious articles in newspapers, from Roman Catholics, or from Presbyterian ministers, or from the gentry, or from all combined. From the sub-inspector he received the reply that he had his information from his immediate superior, the Inspector; but he subsequently declared that he did not get the information from his superior, but from some other source; but what that source was he declined to say, merely repeating the warning that his life was in danger. Upon applying to the Inspector, that functionary abetted the proceedings of his subordinate. He did not think that a police of that kind were the kind of guardian angels to whom the lives of Her Majesty's subjects in Ireland ought to be confided. Last year a constable—who was also an exciseman—by force and violence entered the house of his (the Earl of Leitrim's) herd, on pretence of looking for illicit spirits, but found none, yet forcibly took away the herd's gun. Six days afterwards the house was fired into, and the boy lost his leg from wounds inflicted. That was a barbarous and scandalous outrage, and was, he had no doubt, perpetrated by an accomplice of the police. When, last Session, he brought the facts before their Lordships, the noble Earl, in defence of the act of this constable, misstated the law, no doubt in ignorance of what the law was. No doubt the constable was subsequently reduced, but that was all that had been done in punishing a totally unwarranted outrage. Since the police had been intrusted with the duties of excisemen, they had been going about the country, with long iron spikes in their hands, which they thrust into dung heaps and heaps of potatoes, in search of illicit spirits, to the great terror of women and children. He thought it monstrous that the police should, in their capacity of police, have the right to enter and search any house without a proper warrant from the magistrates,—especially as it was frequently used as a pretext for searching for arms; if they found an illicit still it might be within their duties to seize it, but they had no right to search a house under such a pretext, and then seize any arms they might find. The noble Earl then stated that he had received a letter from a tenant of his, a schoolmistress, complaining that she had been maligned by a sub-inspector of police. He sent for a police constable, who however refused to say anything on the subject. Shortly afterwards he received a threatening letter, which he firmly believed had been sent by the sub-inspector himself. He therefore sent it to Lord Carlisle, and wrote to him on the subject. The result was that Lord Carlisle sent the letter to the sub-inspector, and directed him to institute a prosecution for libel against him (the Earl of Leitrim). At the trial the whole of the correspondence was received. Shortly afterwards two men in a cart shot at Mr. Wilson, who was wounded in three places. The police refused to follow the assassins, because their officer, who lived eight miles off, was not present. He thought it was absolutely necessary, if the police in Ireland were to be kept up as an armed body, that they should be placed under better control. If they were allowed to pass through the country with arms in their hands, there should be some officer or magistrate present to see how they used them. The present state of things was calculated to barbarize Ireland, and he really hoped that the Government would take some steps to prevent the recurrence of these horrible outrages.

EARL GRANVILLE rose to remind their Lordships that they had not yet arrived at the Order of the Day. The noble Earl had just read a petition—or, rather, he had read it about an hour and a half ago—which he had put into his hands the previous evening, when he informed him that he could not answer a series of statements of that kind without having time to communicate with the authorities in Ireland. But, even if he had had time to communicate with those authorities, it would have been quite impossible for him to attempt to meet in detail the long array of charges and letters which the noble Earl had presented that evening. If matters of that kind were to be inquired into at all, it should be done by a Select Committee, and not by the Whole House; and when the noble Earl chose to bring forward a Motion to that effect it would be his duty to give him such an answer as the circumstances might require. He was, however, quite sure that it could not add to the dignity of their Lordships' House, or conduce to good order and good government in Ireland, that individual attacks should be made night after night on magistrates and police constables, tending to bring them into disrepute without there being any proper opportunity afforded for their vindication. If the noble Earl liked to bring forward a Motion on the subject, well and good; but, he repeated, he must protest strongly against these violent personal attacks being so unfairly made on persons who, rightly or wrongly, were the constituted authorities for certain purposes in Ireland.

THE EARL OF DONOUGHMORE said, he quite agreed with the noble Earl, and would on a future occasion move for the appointment of a Select Committee on the subject of the petition.

MR. H. M. D'ARCY IRVIN.

MOTION FOR CORRESPONDENCE.

THE EARL OF LEITRIM moved, That an humble Address be presented to Her Majesty for—

Copy of all Correspondence between Mr. Henry Mervyn D'Arcy Irvin, a Justice of the Peace in Ireland, and Her Majesty's Government in Ireland, relative to the Police and their Insubordination to the Authority of the Magistrates, and relative to the Disrespect shown by the Under Secretary of The Lord Lieutenant to the Magistrate by entering into Correspondence with subordinate Officers of Police upon subjects which should have been addressed to the Magistrate: Also,

Copy of all Correspondence between Mr. Henry Mervyn D'Arcy Irvin, a Justice of the Peace in Ireland, and the Inspector General of Police in Ireland, relative to the Conduct of the Police and the practical working of the Rules and Regulations for the Observance of the Police: Also,

Copy of all Correspondence between The Lord Chancellor of Ireland and Mr. Henry Mervyn D'Arcy Irvin relative to his being exonerated from further Service in the Commission of the Peace in Ireland: And also,

Copy of the Police Code and all Rules and Regulations for the Observance of the Police in Ireland.

EARL GRANVILLE said, there was not the slightest objection to produce the correspondence; but he did not think that Mr. D'Arcy Irvin would have much reason to feel grateful to the noble Earl, for the present Lord Lieutenant thought that the course taken by the Lord Chancellor in removing Mr. Irvin from the commission of the peace was fully justified by this very correspondence. He did not think that any good would result from the publication of the police code, which was in every Irish magistrate's hands.

THE EARL OF DONOUGHMORE protested against the Government issuing regulations to the police, who were the servants of the magistrates assembled at petty sessions.

Address for—

1. Copy of all Correspondence between Mr. Henry Mervyn D'Arcy Irvin, a Justice of the Peace in Ireland, and Her Majesty's Government in Ireland, relative to the Police: Also,

2. Copy of all Correspondence between Mr. Henry Mervyn D'Arcy Irvin, a Justice of the Peace in Ireland, and the Inspector General of Police in Ireland, relative to the Conduct of the Police and the practical working of the Rules and Regulations for the Observance of the Police: Also,

3. Copy of all Correspondence between the Lord Chancellor of Ireland and Mr. Henry Mervin D'Arcy Irvin, relative to his being exonerated from further Service in the Commission of the Peace in Ireland: And also,

4. Copy of the Police Code:

—*agreed to.*

House adjourned at Seven o'clock, to Thursday next, half past Ten o'clock.

* * *

HOUSE OF COMMONS,

Tuesday, February 14, 1865.

MINUTES.]—NEW WRIT ISSUED—For Lancaster Borough *v.* Samuel Gregson, esquire, deceased.

PUBLIC BILLS—*Ordered*—Public House Closing Act (1864) Amendment; Law of Evidence, &c.; Justices of the Peace Procedure;* Insolvent Debtors;* Felony and Misdemeanor Evidence and Practice;* Election Petitions Act (1848) Amendment.*

First Reading—Land Debentures [18];* Election Petitions Act (1848) Amendment [19];* Law of Evidence, &c. [20]; Felony and Misdemeanor Evidence and Practice [21].*

RAILWAY LEGISLATION.—QUESTION.

MR. ROEBUCK asked Mr. Chancellor of the Exchequer, Is it the intention of the Government to institute any and what inquiry into our Railway system, with a view to future legislation, should such legislation appear practicable and advantageous? He was, by the rules of the House, prevented from making any observations, but as the right hon. Gentleman understood the object of his Question, he hoped that he would give a definite reply to it.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am quite aware of the object of the hon. and learned Gentleman in asking this Question, and I will endeavour to give him a reply which shall be so perfectly definite as to admit of no misunderstanding as to the intentions of Her Majesty's Government, either on the part of the House or of the public. It is the intention of Her Majesty's Government to advise the Crown to appoint a Commission to inquire into the economical questions connected with our railway system—that is to say, into the cost of conveyance upon railways, and into the charges which are made by railway companies to the public. It is not their intention to take any step which could under any circumstances at all compromise or commit either ourselves or Parliament with reference to any legislation upon a matter of this vast importance. The whole object of the measure that they propose to take is, to bring all the facts and information bearing upon the subject into a state in which it may be thoroughly available for Members of Parliament, and likewise for the public at large. Every one is quite aware that railway conveyance has now become one of the vital instruments by means of which the whole traffic and intercourse of this country are carried on, and, in point of fact, that it is the principal one among those instruments. Further, I think they are aware that the benefits derived by the country from the railway system have been in their own sphere immeasurable; and, of course, they are likewise aware that there are various difficulties which are found to exist in the application of the laws bearing upon the subject. For instance, that which is known as the provision for equal treatment under equal circumstances, is a matter which necessarily, and without the slightest blame to anyone, is full of difficulty in its application. It is known to Members of this House, and it is well known to Members of Her Majesty's Government, that a great feeling and a great anxiety exists among the productive classes of the community, not so much to the effect that any blame is attributable to the managers of railway companies, whose duty of course it is to obtain the best dividends they can for their shareholders, but rather in the shape of a desire to be informed whether it is possible, by any means that might be suggested, to effect a still further extension of those benefits which have up to this time been proved to be of such vital importance to the community. Therefore, I beg that it may be understood that it is not the intention of Her Majesty's Government to advise the appointment of any Commission that shall enter upon any question of policy. We are of opinion that if we were to do so we should be, if not prejudging the opinion of Parliament, in some degree by extraneous instruments trespassing upon ground which belongs to Parliament. It is simply into the economical facts of the case and the benefits that we should derive that any such commission should be authorized to inquire. We, of course, have taken into our consideration the question whether it would be desirable that this inquiry should be conducted by a Royal Commission or by a Committee of this House. If we were going to inquire into any matter of policy it would, undoubtedly, be far more useful to institute that inquiry by means of a Committee of this House than by means of a Commission. But we do not entertain any such intention. On the other hand, we have to take into account that the investigation of the charges and cost of railway conveyance, especially as regards the carriage of goods and minerals, is a subject so vast and so intricate, requiring such minute examination and such close application, that it would not be possible to expect of Members of this House, charged as they are with other duties, such devotion. Indeed, I doubt very much whether the limits of the Session would permit such devotion to it as would enable the inquiry to be conducted to a satisfactory conclusion. For these reasons we have determined upon giving the advice I have mentioned; and I hope that in a few days—at all events, in a very short time—I may be able to lay upon the table the terms of the Commission which it is our intention to advise Her Majesty to issue. In it hon. Gentlemen will find defined with accuracy and precision the purely economical nature of the inquiry.

MR. ROEBUCK: The right hon. Gentleman says he will confine the inquiry to the conveyance of goods and passengers. I would suggest to him that it would be well to extend the area of the Commission so as to investigate into the circumstances which lead to the creation of railways.

MR. WALPOLE: I understand that my right hon. Friend proposes to lay the terms of the Commission upon the table. Might it not be advantageous both to the Government and the House, and also to the community, that he should move an Address to the Crown for the appointment of a Commission, so as to give him an opportunity of either adding to or modifying the terms which he may lay upon the table?

AGENCY MONEY—THE CONSUL GENERAL AT ST. PETERSBURG.

QUESTION.

MR. CLAY asked the Under Secretary of State for Foreign Affairs, Whether it is intended any longer to permit Her Majesty's Consul General at St. Petersburg to supplement his salary by a tax, known as agency money levied on British Shipping, and received by him as Agent for the Russia Company?

MR. LAYARD said, that if the hon. Gentleman would refer to some papers laid on the table of the House last night, he would find the whole question of the money paid to M. de Michele, the Consul General at St. Petersburg, was gone into. This sum had been paid by the company from time immemorial. When M. Michele received the appointment fifteen years ago it was with the understanding that he should receive such sum in part payment of his salary. He had received it ever since, and Her Majesty's Government could not deprive him of this source of emolument without doing him a great injustice. They would, in fact, have to give him some adequate compensation. Now the tax did not in any way interfere with British shipping. If M. Michele did not receive it other persons would receive it. At the same time, Her Majesty's Government thought it was wrong in principle that a public servant should receive pay from sources other than that of the Government, and whenever M. Michele retired from St. Petersburg it was not intended that this sum should be received by his successor.

RUSSIA COMPANY DUES.—QUESTION.

MR. CLAY asked the President of the Board of Trade, Whether he can give any information as to the progress of the inquiry promised by him into the taxes levied on British Shipping by, or in the name of, the Russia Company?

MR. MILNER GIBSON said, that inquiry had been made at St. Petersburg, and three or four reports on the subject had been received. He believed that these reports showed that these dues were supported very much by the principal merchants' houses in St. Petersburg, and he did not think that any interference, in a direct manner, on the part of Her Majesty's Government would be either useful or practical. So long as the merchants themselves supported the system it was not necessary that there should be any interference. Although the dues were heavy, yet the charges paid by British shipping were not heavier than the charges paid by the ships of other countries, and therefore could not be regarded as differential charges upon British shipping.

MEDICAL OFFICERS OF POOR LAW UNIONS.—QUESTION.

MR. RICHARD LONG asked the President of the Poor Law Board, Whether he proposes to reappoint the Select Committee on the Poor Laws, with the view of further inquiry into the position and the grievances of medical officers of Poor Law Unions?

MR. C. P. VILLIERS said, it was not his intention to move the reappointment of a Committee of Inquiry on this subject. It was investigated by the Committee referred to by the hon. Gentleman, who took into their consideration the evidence taken in the course of two previous inquiries in that House, and came to the conclusion not to take further evidence.

RAILWAYS.—QUESTION.

MR. SCULLY asked Mr. Chancellor of the Exchequer, Is it intended, on the part of the Government, to give any notice, or to introduce any Bill during the present Session, with a view to the revision of the tolls, fares, and charges, or to the purchase of any Railways in the United Kingdom; or is it intended to institute any Parliamentary inquiry into the policy of revision and purchase, upon general and national grounds, as contemplated by the Act 7 & 8 *Vict.* c. 85; and has his attention been directed to the expediency of purchasing the Railways in Ireland, by way of experiment, or for any reason specially applicable to that country?

THE CHANCELLOR OF THE EXCHEQUER said, it was not the intention of the Government, under the circumstances to which he had already alluded, to introduce a Bill during the present Session with the view of acting on the Act of 1844; nor did the Government think it would be right to institute any inquiry with regard to the large question of policy in respect to railways at a time when they were about to take the measures necessary to ascertain their economical condition. As to the expediency of purchasing the railways in Ireland, he felt bound to say that his attention had been directed to the subject by his hon. Friend himself; but, at the same time, he did not deem himself authorized to enter upon the question, which was evidently a branch of a very large question. For the Government to entertain or enounce an opinion upon it would be quite premature. He, however, concurred with his hon. Friend in the opinion that the railways of Ireland, as was geographically clear, formed a case by themselves. They lay within a sphere comparatively limited, though still large, and were consequently more within reach than the general question of railway purchase. He might, perhaps, before resuming his seat, be allowed to answer one or two explanatory questions which had been put to him on a similar subject. He did not think the proper object of the Commission would be of an historical character, further than that historical details might grow out of its main purpose, which was to ascertain the economical facts of the case. He hoped, however, it would be found quite practicable to bring to bear upon those facts, either in connection with the statement of any existing difficulties or remedies, any matter in that point of view that might seem desirable. In answer to the Question put to him by his right hon. Friend the Member for the University of Cambridge (Mr. Walpole), as to whether the Government would propose in that House an Address for the appointment of a Commission, he could only say that they had been ready and desirous to make hon. Members cognizant at the earliest moment of their intentions; but inasmuch as it was within the competency of the Crown to issue a Commission for the purpose, it appeared to the Government to belong to their position that they should take upon themselves the responsibility of that first act, and he very much doubted whether an Address to the Crown, as suggested, would be in accordance with the ordinary usages of Parliament.

THE CHANCELLOR OF THE EXCHEQUER, in reply to Mr. G. PACKE, said, that while the State possessed certain powers by law with regard to railways, their proprietary rights were, so far as he was informed, as free from the interference of the Executive as any other proprietary rights in the country, and ought to be dealt with on the same footing.

BRITISH KAFFRARIA.

QUESTION.

MR. ARTHUR MILLS asked the Secretary for the Colonies, Whether it is the intention of Her Majesty's Government to introduce, during the present Session, any measure for the annexation of British Kaffraria to the Colony of the Cape of Good Hope?

MR. CARDWELL said, he had already laid on the table papers showing what was the state of things which prevailed in the Cape Colony. He would, without delay, give notice of his intention to bring in a Bill on the subject of the hon. Gentleman's Question.

MR. ARTHUR MILLS asked, whether the right hon. Gentleman was aware that a petition against any such measure had been drawn up by the inhabitants of British Kaffraria.

MR. CARDWELL said, he was.

THE POOR LAW BOARD.

QUESTION.

MR. AUGUSTUS SMITH asked the First Lord of the Treasury, Whether it is intended to fill up the office of the one Secretary of the Poor Law Board, rendered capable of sitting or voting as a Member of the Commons' House of Parliament by the ninth clause of the Poor Law Act, now understood to have been vacated by the hon. Member for Northampton; also, whether that Department of the Executive Government required that it should be represented on the Treasury Bench by two highly salaried officers?

VISCOUNT PALMERSTON said, he could assure the hon. Gentleman and the House that it was with great regret he had received the resignation of his hon. Friend the Member for Northampton (Mr. Gilpin); and he regretted it the more inasmuch as it arose from the state of his health, which he thought was such as to render him unable to discharge the Parliamentary duties of his office. The office was one, however, which it was deemed by the Government desirable and proper to fill up, and it was, therefore, their intention to do so. He believed that the Committee which sat last year were of opinion that the office ought to be continued.

SANITARY STATE OF CALCUTTA.

QUESTION.

MR. VANSITTART asked the Secretary of State for India, Whether anything has been done to improve the sanitary state of Calcuttta; if so, whether he has any objection to produce papers relating to the same; and, whether it has been determined to relieve the European troops serving in India by the overland route; if so, whether any and what arrangements have been made for their transmission?

SIR CHARLES WOOD said, in reply to the first Question, that a Sanitary Commission had been some time ago appointed, and that they had made a report on the subject to the Government of India. He, however, had as yet received no account of what had been done in consequence of that report. It was, he might add, the intention of the Government to send out the troops to India overland.

GOVERNMENT ANNUITIES ACT.

QUESTION.

MR. W. E. FORSTER asked the Chancellor of the Exchequer, Whether he will inform the House when the Government intend to take the necessary measures for carrying into operation the Government Annuities Act passed last Session?

THE CHANCELLOR OF THE EXCHEQUER begged to thank his hon. Friend for having afforded him an opportunity of stating how matters stood in reference to a subject of so much importance to a number of individuals, and of considerable public interest. By the sixth section of the Act of last year the tables for annuities and life assurances, or at all events the most important of them, were, when they had been framed and approved by the Treasury, to be laid on the table of the House for thirty days before they could be acted upon. All those that related to life assurances had, in accordance with that provision, been laid on the table of the House on Friday last. Rules for the general management of the business had been likewise framed, and, unless the House should think proper to intervene, the Act might, after the expiration of thirty days from last Friday, be considered as in practical operation.

CLONPRIEST, &c., BENEFICES (IRELAND). CHURCH PATRONAGE (IRELAND).

OBSERVATIONS. MOTION FOR RETURNS.

Mr. SCULLY rose to call attention to the recent exercise of public patronage with reference to the benefices or parishes of Clonpriest, Farrahy, and Carrigrohane, in the county of Cork, and to move for certain Returns in reference thereto. The facts which he was about to state furnished a very fair illustration of the position of the Established Church in Ireland, on which, however, he wished to make no attack. He had not selected the three instances, but had taken the three last presentations to vacant benefices in the county he represented, as offering very fair samples of the general condition of the Established Church in Ireland, and for what purposes an institution was kept up of which the Irish Secretary said a single stone should not be disturbed. There were some who wished the Irish Church to be abolished, such as the voluntaries in England; and others who only wished to see it reformed, and its revenues re-distributed. An Irish rector, writing in a Dublin newspaper, complained that the parishes of Grangegorman and Booterstown, near Dublin, each containing more than a thousand Protestants, were endowed with less than a curate's stipend, whilst parishes in the country, with less than twenty Protestants, gave their rectors £1,000 a year and upwards. In Kilfenora, a diocese in Clare, there were 22,789 Roman Catholics and 251 Protestants, but the members of the Established Church were provided with three churches (including a cathedral) capable of holding 560 persons, and with eight clergymen, including dignitaries, and an official called a vicar general. Kilmacduagh, another Irish diocese, with similar endowments, contained 24,333 Catholics, and only 434 Protestants. From *Thom's Almanac*, the *Census Returns*, and the *Church Directory*, he collected the facts upon which he based his Motion. Clonpriest, the first of the parishes referred to in his Notice, contained, in the year 1834, 3,559 inhabitants, of whom 35 were Protestants. In 1861 the total number had been reduced to 2,005, of whom 14 only were Protestants. The proportion of males (men and boys) among these was five, consisting probably of the clergyman and his family, the "dearly beloved Roger," and his family, and a stray policeman. The glebe was 14 acres, and the revenue was differently valued at from £500 to £750 a year, being probably worth over £600, so that the incumbent got about £40 a year for each of the fourteen men, women, and children, including his own household. The benefice was in the gift of the Crown; but at the time, in September last, that it fell vacant the late Lord Lieutenant was in his last illness, and during the interregnum the Chief Secretary, of course, was master of the situation. A gentleman was nominated to the living whose name he had been unable to find in the Irish *Clergy List*—a matter at which he was not the only person who felt surprise; for the *Cork Constitution*, an orthodox Protestant paper, plainly expressed its opinion that the appointment ought to have been given to some hardworking Irishman, and not to an immigrant from a foreign country. In the English *Clergy List* he found the name of a Rev. P. Hartley, which appeared to be the same in all respects as that of the gentleman appointed to the benefice in Cork; and assuming that he was right in his surmise as to identity, this gentleman came from a place called Tamworth. "The Rev. P. Hartley" was the name given, so that whether it was "Patrick," "Peter," "Paul," or "Peel," did not appear; but this gentleman, it seemed, had been appointed in 1854 to a curacy at Tamworth, with the magnificent stipend of £72 a year. At Tamworth Mr. Hartley had a congregation of 466, and a salary equal to 3*s.* 1*d.* a head, but when he got to Clonpriest, he was paid at the rate of £40 a head, or, in other words, he was paid in Ireland 250 times more for doing 100 times less work. The population of Tamworth was 10,287; there were four or five clergymen; and the total annual revenues of the clergy in that borough were returned as £690. Anybody, therefore, who went through the process of mental arithmetic so highly recommended by the noble Lord at the head of the Government, would probably find that clergymen in England were paid 1*s.* 4*d.* per head, while in Ireland a clergyman was paid at the rate of £40 per head. Some gentlemen in Ireland, and particularly Mr. ex-Chancellor Napier, were calling for an union of the two Churches in England and Ireland, but here was union with a vengeance! He made no charge against any Member of the Government. The facts which he had given to the House he had taken from public documents, and whether the Rev. Mr. Hartley was a troublesome opponent or a supporter of the right hon. Baronet the Chief Secretary for Ireland he really did not know. The right hon. Baronet, of course, had his own reasons, and no doubt would give these to the House in an honest, straightforward, English manner, as English an answer as the noble Lord at the head of the Government would give to a question from his friend Mr. Rowcliff at Tiverton. He came now to the next case in the same diocese—that of Farrahy. According to the Census of 1834 the population there had been thirty-eight, but in 1861 it had dwindled down to fifteen. [An hon. MEMBER: The Protestant population?] Of course. The law did not recognise any other. He had shown that in Clonpriest the State provided £600 a year for the spiritual wants of fourteen Protestants, whilst for the 2,000 Catholics the State provided only proselytism or persecution. In the parish of Farrahy there were belonging to the Established Church only four males, men and boys. They were, however, very strong in females, for there were eleven, so that in this respect they were well provided for. The Roman Catholics of the parish were 1,008, and the whole population were 1,023 in number. The net value of the benefice was stated in the Irish Church Directory to be £356 a year, and there were twenty-two acres of glebe land. Looking at *Thom's Almanac* for 1865 he found that at the end of last year the Rev. John Westropp Brady had been appointed to this living of Farrahy, and there was no objection that he knew of to this excellent Whig appointment. The Chief Secretary having had his turn in Clonpriest, did not get the next turn, for Lord Wodehouse having come over as Lord Lieutenant, the Lord Chancellor of Ireland got his share of the patronage, and a son-in-law of the Lord Chancellor was appointed. He (Mr. Scully) had been asked, in the streets of Dublin, by a Catholic friend who had a large property in the county of Cork, whether he had influence in getting Crown livings in the county? He replied that he had nothing to do with appointments of that kind, but that in times past he was allowed to recommend to situations worth about £3 a year in the Post Office. His friend told him that he cared little about it, but that he paid the rector £80 a year, and that all he wanted was a good neighbour. He told his friend that if he would send in a memorial in favour of any friend he would forward it, and then he had no doubt it would be treated with all the respect, or contempt, it deserved. He kept his eye upon the living, and he found that the Lord Chancellor put his son-in-law into it. No doubt he was an excellent man, but this showed what the Church establishment of Ireland was kept up for. He might be told that the Rev. J. W. Brady was not now rector of Farrahy, and that some one else had been appointed to this living. A paragraph had been going the round of the newspapers, stating that the Rev. John Westropp Brady, late curate of Aghadoe, Killarney, had been appointed by the Crown to the rectory of Slane, in the diocese of Meath, and that the Rev. Brabazon Disney had been appointed by the Lord Lieutenant to the rectory of Farrahy, diocese of Cloyne, of which parish he was formerly curate. He believed the fact to be that Mr. Brady was appointed to Farrahy, but a Crown living of greater value having fallen in he was sent to a place nearer Dublin, and Mr. Disney was sent to Farrahy. To unite the two cases of Clonpriest and Farrahy, it appeared that their joint revenues amounted to about £1,000 a year, and that their joint populations were 3,028 persons, of whom 29 were Protestants, and 2,999 Catholics; being in the proportion of about 1 to 105. The third parish was not quite so good, or so bad, a case, whichever it might be called. Carrigrohane was not a Crown living, but was in the gift of the Bishop. The Protestants were in 1834, 48 in number—22 males and 26 females; the Catholics were 532; and the total population was 590. About two years ago the Bishop himself was appointed to the see, and now he had presented his own son to this living of £697 a year. Here were three livings—one of which was given to the curate of Tamworth, a second to the son-in-law of the Lord Chancellor, and the third to the son of the Bishop; and this was the way in which the public patronage was exercised. It might be argued that if these livings were not sinecures, they were trusts for the public. He did not say that they were not filled by good men, but it certainly looked extraordinary that the clergymen presented to them were so closely connected with the patrons. The last parish to which he had referred had a substantial congregation of forty-eight Protestants, and the clergyman received about £700 a year for looking after them. He wished to have these facts placed by Government authority on a half-sheet of paper, so that he who ran might read them. He trusted that the Secretary for Ireland would either admit the facts candidly, or give them a plain denial, which could be substantiated by the Return now moved for. He had that morning received a letter from Dublin, not written with any reference to this Motion, but relating to the manner in which the Government patronage was exercised in Dublin. The writer was a well-to-do gentleman, who had the advantage in this world of being a Protestant, and he wrote as follows:—"Be first to declare against the Lord Lieutenancy and the Castle." He did not say he agreed with the writer, but he added —

> "Like the Bastile of Paris, have the building itself removed—its very materials, the brick and mortar I mean—as well for the moral benefit of Dublin as of all Ireland. The whole concern has dwindled until it is something like a competition between rogues. Consanguinity is the path to public posts of emolument and honour."

And then his friend referred to certain recent appointments, adding —

> "All this may be equally bad in England, but there the corruption is distributed over a wider surface. Here the social servility of the professions—legal, medical, and clerical—acts and reacts on each other, while all our sycophants in law, or physic, or divinity coalesce together against superior minds."

The hon. Gentleman then read extracts from the *Manchester Examiner* and other English newspapers strongly condemning the anomalous position of the Established Church in Ireland, and said, that with regard to the appointment of the Bishop's son there had been complaints on the part of the Protestant clergy, and several letters on the subject had appeared in the *Cork Constitution.* The Protestants in that House had often professed to assist the Catholic Members, where the temporal affairs of His Holiness the Pope were concerned, by giving advice and making representations or misrepresentations. Well, he (Mr. Scully) had now returned the compliment. He did not intend to bring any charge against the clergymen appointed, or to raise any question as to their fitness. The Bishop of Cork, no doubt, knew his own son best, and the pious parishioner of Tamworth knew his clergyman best. In bringing this matter before the House he had no personal object in view, and hoped the hon. Baronet would give the House a clear and candid denial in his usual manly and straightforward way, or admit the facts and make a clean breast of it. The hon. Member concluded by moving for

> Returns, in tabular form, showing, as to each of those benefices or parishes; the date of the last presentation; the name or title of the patron; the name of the present incumbent; the annual value (including any glebe or glebe house); the church accommodation; and the population according to the Government Census of 1834 and 1861 respectively; distinguishing as to each parish the number of Protestants from the number of Roman Catholics.—(*Mr. Scully.*)

SIR ROBERT PEEL said, the hon. Gentleman has been longer than I expected in making his statement. It was not at all necessary for him to urge upon me the propriety of making a straightforward answer, for I will ask the House whether I have not always endeavoured as far as I can to answer him with distinctness. But while I was listening to my hon. Friend—if he will allow me to call him so —I could not help remembering that I had observed a remarkable silence on the part of the hon. Gentleman during the long vacation, and I now see to what it is to be attributed. During the long vacation he has been evidently studying mental arithmetic, and the earlier periods of the French revolution. But, at all events, I am quite ready to admit all the facts connected with the parishes if, as he says, they are taken from the Census Returns. The Census Returns are quite accurate. But it is not necessary, in alluding to those three parishes of Cork, to enter into a review of the position of the Established Church in Ireland. I can only attribute the eagerness which the hon. Gentleman as a Roman Catholic takes in promoting the interests of the Protestant Church, to the fact that he is desirous of contradicting a statement which I saw in the Irish newspapers some weeks ago, to the effect that the hon. Gentleman was not going to stand again for the county of Cork, but was about to transfer his services to Cashel, and he is naturally anxious to recommend himself to his old constituency. I will now very briefly allude to the three points to which the hon. Gentleman has directed the attention of the House. The hon. Gentleman complains that there are great inequalities in the distribution of Church patronage in Ireland; and no doubt there are. In some instances the population may have diminished, while the Church revenues nevertheless remain the same; while, on the other hand, a large increase of population may have taken place without sufficient provision being made for its spiritual wants. Inequalities of that kind exist in England as well as in Ireland, and in both countries they are equally to be regretted. But the exercise of the patronage in respect of Crown livings is another question, and the hon. Gentleman has made that question a serious one to me personally. From what he said, one would almost infer that the Lord Chancellor and myself were fighting for the distribution of patronage, and that when I had been accommodated, then it was the turn of the Lord Chancellor. Nothing can be further from the truth than such a representation. With regard to the living of Clonpriest, it is perfectly true that, with the sanction of the Lord Lieutenant, I did appoint the gentleman named by the hon. Member; but I beg to say that, during the whole period of my administration, I have never sought to distribute such patronage as was placed in my hands upon grounds of personal favour or family interest, and I have never made an appointment without honestly believing it to be for the public good. I repeat it is true that I recommended the appointment of Mr. Hartley; but he had no such claims on me as the hon. Member seemed to contemplate, and on a recent remarkable occasion, having promised my support to a gentleman for the representation of Tamworth, and afterwards made good that promise, as an honest man would, to my own personal detriment and the interruption of several friendships, Mr. Hartley refused to vote for the person in whom I was interested. Certainly, therefore, it was owing to no personal favour that I appointed or recommended the appointment of this gentleman. A living became vacant, and the late Lord Carlisle most kindly consulted me respecting the appointment, and, as he did on more than one occasion, placed it at my disposal. The fact of the Lord Lieutenant not being in Ireland at the time, did not tend to place the patronage in my hands. The patronage of the Crown livings rests exclusively with the Lord Lieutenant; but in this instance, as I have explained, he gave me the privilege of recommending a clergyman for the living. I naturally selected one with whom I was acquainted, and recommended a gentleman who, not only in his own parish, but far beyond the limits of his own parish, was conspicuous for his many virtues. I venture to say that you could not find a man more humble, more conciliatory, or more tolerant than that gentleman, and I am quite sure he will do his duty honestly and properly in his new sphere. It is true that the number of his Protestant parishioners may be very small; but that has nothing to do with the question at issue; for, until Parliament otherwise determines, when a Crown living becomes vacant, the appointment to that living must be made in the regular course. In his statements as to the emoluments of that living, the hon. Gentleman has gone far beyond the proper figures. Instead of being £600 or £750, the net income of the rectory of Clonpriest is £415. There is a vast difference between that amount and £750. As regards the living of Farrahy, I am authorized to say that Mr. Brady was appointed to that living from no recommendation of the Chancellor. Although he bears the same name, I am informed that he was no connection of the Chancellor's until he married his daughter. It might, perhaps, naturally be supposed that the Chancellor exercised some influence in procuring this appointment; but he did not. The Lord Lieutenant recommended Mr. Brady to the living of his own free will, and afterwards, as is frequently the case, a transfer being made between one living and another at the request of both parties, Mr. Brady was transferred to Slane, and Mr. Brabazon Disney to Farrahy. There remains the third living, Carrigrohane, where the Bishop of Cork appointed his chaplain, who happened to be his son. Now, the Bishop of Cork is a distinguished Prelate well known in Dublin, and he naturally took his son, who was also a distinguished minister, as his chaplain. It was nothing surprising, when a living within four miles of Cork became vacant, that the Bishop should appoint his chaplain. Thus I hope I have shown that the hon. Gentleman has no right to call in question the exercising of patronage in any one of these three instances. The Bishop of Cork did what would have been done in this country. The Lord Lieutenant did not act at the request of the Lord Chancellor; and the living of Clonpriest was given on my recommendation, which the Lord Lieutenant most kindly accepted and confirmed. That is all I have to offer upon the observations of the hon. Gentleman. The Government will be quite ready to give the Returns for which he asks, except that part referring to the glebe or glebe-house. The hon. Gentleman is not aware that according to the 3 & 4 *Will.* IV. c. 37, s. 18, we have no power to ascertain what the value of glebe-houses is. Therefore, if the hon. Gentleman will be good enough to amend his Motion, by the omission of the words referring to the glebe, I shall be quite willing to grant the Return he has called for; and I am quite sure that my hon. Friend will agree that I have now given him a straightforward and perfectly satisfactory answer as to the exercise of this patronage.

Mr. LEFROY, before referring to one of the cases which the hon. Member for Cork had brought before the House, begged to thank him for the interest which he appeared to take in promoting the advancement of the Established Church in Ireland. He had gone beyond any Gentleman of his own religion in touching upon the affairs of the Church of Ireland. He could not understand what had inspired the interest of the hon. Member, or what had induced him to occupy the time of the House for nearly an hour in commenting on the mode of administering the internal affairs of the Church in the diocese of Cork. If the hon. Gentleman had intended to hand over the revenues to his own Church, he could understand it; but at present he was at a loss to know what could have led him to take such a course. The right hon. Baronet, in respect to two of the livings to which reference had been made, had given a satisfactory explanation, and he (Mr. Lefroy) would now state a few particulars respecting the appointment made by the Bishop of Cork; not that he thought the case a very important one, but because when an opportunity presented itself of meeting any specific charge against the Irish Church he thought it right and proper to do so. The Bishop was most distinguished for his conduct as a Christian minister and for his preaching. He never sought for patronage. The archdeaconry which he previously held was forced upon him by Lord Carlisle, and his appointment to the bishopric was unsought by him and was quite unexpected. With respect to the appointment in this

particular case of the Bishop's son. Was he a youth brought by the Bishop from the University, appointed his chaplain, and then appointed to a living? By no means. He was a hard-working curate long before his father was made a Bishop. While his father was a minister in Dublin, he was ordained, in 1857, for the curacy of Glonmire, in the diocese of Cork. In 1859 he was appointed by the trustees to the incumbency of Christ Church, Belfast, in the diocese of Connor, with a salary of £350 per annum, because it was thought that being an eloquent preacher he would fill the Church. This appointment was due, not to favour, but simply to his own talent and efficiency as a minister. The House would observe that the rev. gentleman was not appointed to this living by the Bishop, but by the trustees. He discharged faithfully and zealously the duties of this appointment until April 1862, when his father, being appointed Bishop of Cork by the late lamented Lord Carlisle, made him his chaplain. Could it be said that he ought not to have been appointed to this living by his father, after having proved himself worthy of the promotion as a well qualified and useful clergyman? Judges were in the habit of appointing their sons to their official secretaryships, and were Bishops' sons to be disqualified merely because they were Bishops' sons? Before this appointment the Bishop had appointed six curates to valuable livings in his diocese, and it was not until the proper time came that the Bishop gave his son this appointment, which he had since filled to the general satisfaction both of the parishioners and the public. The hon. Gentleman had, however, overstated the value of the benefice of Carrigrohane. It was not worth £675 per annum; but he (Mr. Lefroy) was authorized to state that its net value was only (after deducting house rent, curate, income tax, poor rate, and visitation fees) £459 15*s*. He had, he thought, said enough to show that the appointment had been made upon the merits of the man, and the Bishop had an undoubted right to appoint any properly qualified person to the vacant living. Under these circumstances, he hoped that the House would be of the same opinion, and that the hon. Member (Mr. Scully) would see that his exertions to benefit the Established Church—if that was his intention—were thrown away, and the time of the House occupied in vain.

MR. HADFIELD said, that he wished the House to inquire what was the cause of these bitter discussions which arose from time to time as to the affairs of the Irish Church? Was it not a fact, that in a population of 5,700,000 less than 700,000 belonged to the State Church? Was it not the fact that £650,000 a year was given to its clergy for the spiritual care of the minority, while the majority were wholly unprovided for? He was glad to say that in every sense there were five millions of their fellow subjects in Ireland who were not cared for by the State Church in the slightest degree. That was not a very popular subject in the House, and was generally got rid of as soon as possible; but that was like damming up a mighty river which, nevertheless, would overflow its banks very shortly. It was high time to meet the question of the Church of Ireland in the face. They might put it aside for a time, but it would ere long force itself to be heard. He thought the people of Ireland had just cause to complain that this mark of conquest yet remained to cast a gloom over their noble country. He trusted the time was approaching when the Government would seriously attempt its removal, and that the House would be tormented no more with the complaints of the hon. Member for the county of Cork, or in any other way. He (Mr. Hadfield) would earnestly support any attempt to get rid of this mischievous Church, which he did not regard merely as a political, but as a religious question. If it were done away with, the greatest hindrance to the best interests of the people of Ireland, in a religious sense, would be removed. He objected to the Church of Ireland, not so much as a political institution, but as a grievous obstacle in the country to the spread of Christian principles and benevolence.

MR. VANCE protested against the question of the Church of Ireland being brought before the House by a side-wind. Let the question be brought fairly before the House, and it would be fully met and completely answered. Neither in this country nor in Ireland were the incomes of clergymen regulated by the exact number of their congregations; and with regard to the clergy in the south of Ireland, who at great inconvenience to themselves devoted their energies to the small congregations, endeavouring to extend their numbers, which he was happy to say were gradually increasing, deserved credit at the hands of the House, and not the disparagement they were continually receiving. These clergy being resident formed the very best country gentlemen; and if they were withdrawn from their dupes there would be still more absenteeism amongst the Protestant proprietary than there was at present. The subject of the Irish Church was the other day brought forward at a great Roman Catholic meeting in Dublin, under the presidency of the Lord Mayor, but the only speakers in favour of the overthrow of the Established Church were the Romanist prelates. The laity showed it no favour, and evidently thought any advantage would be dearly purchased by the ill-will and annoyance that would result from raising the question. They knew that the constitutional disturbance which would be caused by such a movement would not in any way be compensated for by depriving a few clergymen of their stipends. It was quite capable of proof, that there was, in many instances, as much disparity between the revenues of clergymen and their congregations in this country as in Ireland, and he saw no necessity for continually bringing forward the question of the Irish Church when the inhabitants were generally satisfied with the present state of things. It was only to the Dissenters in England, who attempted to keep up an agitation on the subject, that any discontent which might exist in Ireland as to the Established Church was to be attributed. The Roman Catholic population of Ireland had not generally expressed any dissatisfaction with the present state of things, the tithe-rent charged, by which the Clergy was supported, being paid nearly exclusively by the Protestant landlords, whose interest it was to treat their tenantry with kindness and indulgence.

MR. SCULLY, in reply, said, he had no intention whatever of giving personal offence to either the Lord Chancellor of Ireland, to the Bishop of Cork, who was a very good Bishop for a Protestant, or to the right hon. Baronet, as he was sure they had no reason to be ashamed of what they had done, and he individually was perfectly satisfied with the explanations of the latter, who had got rid of a troublesome opponent. If the figures he had laid before the House were wrong, he could not be held responsible for the mistake, as he had taken them from public documents. He should be willing to take the Returns in the form offered by the Chief Secretary.

Motion amended and *agreed to.* Return *ordered*—

"In a tabular form, showing, as to each of the benefices or parishes of Clonpriest, Farrahy, and Carrigrohane, in the county of Cork, the date of the last presentation; the name or title of the patron; the name of the present incumbent; the annual value; the church accommodation; and the population according to the Government Census of 1834 and of 1861 respectively; distinguishing as to each parish the number of Protestants from the number of Roman Catholics."—(*Mr. Scully.*)

PUBLIC HOUSE CLOSING ACT (1864) AMENDMENT BILL.—LEAVE.

MR. COX moved for leave to bring in a Bill to amend "The Public-house Closing Act 1864;" and in doing so begged to call the attention of the House to a few facts relative to that Act. It was introduced last Session for the express purpose of meeting a particular case. Great complaints had been made by the inhabitants and others as to the looseness with which certain houses in the Haymarket and its neighbourhood were conducted, and the evils arising from those houses being open all night. He had no possible objection to the Act, so far as those houses were concerned, but its operation put him in mind of the lines of the poet Cowper, in his description of Wit—

> "Wit undistinguishing is apt to strike
> The guilty and not guilty both alike."

And this Act certainly struck the guilty (though not very severely), and inflicted injury on many innocent persons besides. For instance, business commenced at Covent Garden Market at about two or three o'clock in the morning; but for hours preceding that time persons were coming from all parts of the metropolis and the suburban districts, bringing produce to the market, and although nothing was more natural than for them to desire, and before the passing of the late Act they had been able to obtain the necessary refreshment, they could not now get any, as the Act of last Session had closed not only the public-houses proper, but every kind of refreshment and coffee house. Another consequence was, that the value of these houses was materially diminished. The coffee-house keepers had made an application to the Chief Commissioner of Police for permission to open on the market day, but it was refused. Again, the Metropolitan Cattle Market commenced business about three or four o'clock in the morning, but from twelve to two or three, trains with cattle from all parts of the country were continually arriving, and herds were driven in from Herts and Essex and other counties. Before the passing of the Act the drovers could obtain the necessary refreshment, but they had no opportunity now of obtaining any—all places being closed after one o'clock—and were thus seriously inconvenienced and injured. "One touch of nature makes the whole world akin," and if he could only get the right hon. Gentleman the Home Secretary up to the cattle market at two or three o'clock in the morning, and keep him there for half an hour, there would be no difficulty in obtaining an amendment of the late Act which he was about to propose. Besides these two classes of innocent persons who were prejudiced by the operation of this Act, there was another class of sufferers—gentlemen of great intelligence, whose duties were very laborious, and without whom they could not enjoy the luxury of the broadsheets which appeared so regularly every morning on their breakfast tables. He alluded to the gentlemen of the press, who were engaged in setting up and preparing the morning newspapers, whose labours commenced in the evening, and lasted until from two to three o'clock in the morning. The nature of their employment precluded them from taking refreshment early in their work, as they were obliged to keep cool heads and steady hands. But before the passing of this Act what was their practice? When their labours were ended these 300 or 400 gentlemen were in the habit of taking tea or coffee, or supper, or other refreshments; but now, before setting off to their homes, many of them at five or six miles' distance, they could get no refreshment whatever. It might be said that one newspaper provided a club-room of its own, where all engaged upon it could get the necessary refreshment; but if one leviathan establishment could do this, it did not follow that the five or six other newspapers could afford, or had the means of affording, the same accommodation. The persons employed at the offices of those papers were therefore struck more severely by the Act than those persons against whom it was directed. He had stated a case of hardship on the part of three classes of persons; but there was another class who had also a good ground of complaint. It was well known that if any Bill were brought into the House affecting land, or likely to depreciate the value of landed property, compensation would be required; but the Act of last Session had really inflicted great pecuniary loss upon individuals, who were left without remedy. For instance, the persons who had taken those four large houses at the Metropolitan Cattle Market had been almost ruined. They had laid out large sums, and had lost a very considerable portion of their custom through this Act of Parliament, a large part of their business having been previously done within the now prohibited terms. Take, again, the case of the coffee-house keepers at Covent Garden. There was, he had been told, one man who had given £2,500 for his house, and it was now not worth a quarter of that sum. But it not only affected these and other places within the metropolis, but places at five or six miles' distance. He had had a letter from a person at Upper Edmonton, who had kept a coffee-house for twenty-two years, and whose trade was utterly ruined by this Act. He was an old man of seventy, not fit for any other employment, and his was a very hard case. The object of the Act was expressly to close night houses like those of the Haymarket, but not to inflict injuries like these on innocent persons. The Bill he now asked leave to bring in was to remedy the evils he had described. He did not propose to make any violent alterations. He proposed to leave the Act precisely as it now stood, with the exception of extending one of the clauses. While the Bill was passing through the House, some doubt was evidently felt that it might inflict hardship upon some honest persons, for an attempt had been made to provide some machinery by which the evils he had described might be obviated. The 7th clause had a provision to the effect that occasional licences might be applied for to the constituted authorities to meet any special occasion or occasions. He should have thought that market days at Covent Garden and Copenhagen Fields would have been special occasions within the meaning of the Act, but the Chief Commissioner of Police had decided otherwise. The Bill he wished to bring in proposed to extend this 7th clause to meet the difficulties and hardships he had mentioned, but still leaving the decision in the hands of the constituted authorities. This, he believed, would have the desired effect. The hon. Member concluded by moving for leave to bring in a Bill to amend the Act 27 & 28 *Vict.* c. 64, commonly called "The Public House Closing Act, 1864."

SIR GEORGE GREY said: It is not my intention to offer any opposition to the introduction of the Bill; but the observations which have been made by the hon. and learned Gentleman are such as, I think, render it incumbent on me to say a few words in reply. It is a mistake to suppose that the measure of last Session was brought forward merely to remedy those disorders which attracted so much attention in one particular part of the metropolis. The evils complained of from public-houses being kept open all night were by no means confined to the immediate neighbourhood of the Haymarket. They extended to other places. There can be no doubt that great disorder prevailed in the Haymarket in consequence of ill-regulated public-houses and refreshment-houses being kept open throughout the night. The Act applies to these and other parts of the metropolis, and to other places. For I am afraid that in all the large towns throughout the country there will be found persons licensed to keep public-houses who are anxious to make as much money as they can without being very particular as to the mode in which that is done. By the general body of licensed victuallers no opposition was offered to the passing of the measure, and its operation has, beyond all doubt, been most beneficial. Nor have its advantages been confined to London. So much appreciated have been its benefits that its provisions have been acted upon in many large towns throughout England, and ample evidence can be obtained of the immense advantages which have followed from its operation. I merely mention this to show the House what has been the effect of the Act, and in order that the Bill may be duly considered before any inroad is made upon its provisions. The hon. Gentleman complained that refreshment-houses were included within its operation, but if such houses were permitted to be kept open all night, those evils against which the Bill was directed would still continue. It was certainly intentional on the part of the Legislature that those houses were included, and I feel sure the House would not wish to exclude them from the operation of the Act. I am not prepared to deny that some cases of hardship do exist, owing to the present state of the law, but such instances must occur wherever general restrictions are imposed in the public interest. The hon. Gentleman says that the Act of last Session operates harshly on persons arriving at Covent Garden Market between two and three o'clock in the morning, who find the public-houses shut against them. It should, however, be borne in mind that these houses are not closed until one o'clock, and that, therefore, persons coming to the market would in all probability be able to procure refreshments on their way to it, while after their arrival they would find the public-houses open again at four o'clock. With regard to the drovers who are brought by train to the cattle market between one and four o'clock in the morning, the hon. Gentleman seems to forget the express provisions of the Act as to *bonâ fide* travellers obtaining refreshments at railway stations, and there is nothing to prevent them from procuring refreshments at the stations on their arrival. As regards the houses themselves at the cattle market, I can hardly conceive that any of them depended solely upon their early morning custom, for the market is open during the whole of the day, and of course those houses are resorted to by persons attending the market. But there is another instance about which I would wish to say a word. I admit that those gentlemen whose duties in connection with the press keep them up until an early hour of the morning may be exposed to inconvenience, owing to their being unable to procure refreshment at a public-house when their work is done. I saw some of the gentlemen connected with the press on the subject before the Bill passed through the House. They wished that power should be given to the police to sanction some particular houses being kept open, and to exempt them from the operation of the Act, and I was disposed as far as possible to meet their case. But the difficulty arose that if the police are empowerd to select some particular house or houses where those gentlemen might obtain refreshment, they would be intrusted with a monopoly in the selection which might excite great dissatisfaction in the trade. There is one great establishment which has been already referred to, and whose example the hon. Gentleman said I was not to cite; but I do not see why I should hesitate to name it, *The Times* office, where, as I am informed, ample provision is made, not in a public-house, but in a private room attached to the office, for furnishing those of its staff who may require it with all the refreshment necessary. It may not be possible for the gentlemen connected with any other individual paper to secure a similar privilege, but if those employed, say on some half-dozen papers, were to unite together, I think they would have no difficulty in finding the means of providing for their wants without resorting to a public-house. It only remains for me to observe that if particular public-houses were exempted from the operation of the measure, they could not be restricted to the use of one set of men, but must be open to all the world, and consequently the abuses of the Haymarket would be transferred to Covent Garden or other places. I offer no opposition to the introduction of the Bill, but I hope the House will not alter the principle or the main provisions of the Act of last year.

MR. COX said, that the refreshment rooms at railway stations were of no use to drovers who attended the Metropolitan Cattle Market. He had been in favour of the Act from its first introduction; but he contended that the 7th clause, which was intended to remove any injury that might arise from the operation of the Act, did not go far enough.

MR. HADFIELD said, he believed that Manchester and Liverpool had almost unanimously adopted the Act, and had felt the benefit of its operation, and therefore he hoped that nothing would be done which would infringe upon the principle of it.

MR. AYRTON believed that the provisions of the Act were seriously considered last year, and it would be a breach of faith with those who had acquiesced in the Act if it were so soon altered. If a power of selecting certain houses to be exempt from the Act were given to the police, it might be made to operate most unfairly. He should like to see the example set by *The Times* followed in other establishments, and he hoped the proprietors of those establishments would see the expediency of suiting the convenience of those in their employment.

Motion *agreed to*.

Bill to amend the Act of the twenty-seventh and twenty-eighth Victoria, chapter sixty-four, commonly called "The Public House Closing Act, 1864," *ordered* to be brought in by Mr. Cox and Mr. GOSCHEN.

LAW OF EVIDENCE, &c. BILL.

LEAVE. FIRST READING.

SIR FITZROY KELLY, in moving for leave to introduce a Bill for the further amendment of the law of evidence and practice in certain courts of justice, said, that the expectations which had been held out in Royal Speeches, and other speeches of almost equally high authority, of large measures of law reform, had not been realized to the satisfaction of the community. Those, therefore, who, like himself, were unencouraged, and unsupported by the Government, must content themselves with attempting those reforms of which the obvious or urgent necessity afforded a reasonable hope of passing them through Parliament. Among the questions which had recently forced themselves upon public attention was that of the admissibility of parties as witnesses in courts of justice. The history of that question was somewhat remarkable. From the earliest times, upon the trial of any case, civil or criminal, everyone who was interested to the extent of a single shilling in the matter in issue was disqualified as a witness, and scarcely a day passed unmarked by a failure of justice on that account. Lord Denman was the first to bring forward a measure upon the subject, and an Act was passed some thirty years ago which put an end to all disqualifications upon the ground of interest, but until 1851 the law was in this strange condition, that, whereas, beyond all question, the parties to a suit were those among mankind who of all others were best, and in some cases exclusively, acquainted with the real facts of the case, and with the best means of bringing out the whole truth, they were disqualified as witnesses. In 1851, however, through the persevering efforts of Lord Brougham, an Act was passed—not without much opposition from high authorities on the Bench and at the Bar, and from statesmen in either House of Parliament, and not without grave doubts being expressed as to the possible consequences of the measure—rendering parties in civil suits, with some exceptions, admissible as witnesses. That Act was universally allowed to have operated most beneficially in leading to the discovery of truth and in bringing out the real merits of every case to which the Act applied, to a degree, indeed, which the warmest supporters of the measure had scarcely ventured to anticipate. That Act contained certain exceptions, and among them one relating to cases of adultery. To that exception the Bill which he proposed to lay on the table was in the first instance intended to apply. As the question of the competence of witnesses in cases of adultery had attained importance mainly, if not solely, since the establishment of the Divorce Court, he had thought it his duty, before asking the House to assent to any measure on the subject, to communicate with his right hon. Friend Sir. J. P. Wilde, who so ably presided over that court, and to inquire from him what was the practical effect on the administration of justice of the existing state of the law. Sir J. Wilde had done him the honour of replying to the question in a letter which he would proceed to read to the House. The learned Judge said—

> "Dear Sir Fitzroy,—You ask me how the present law of evidence works in the Divorce Court: I answer that it works a great anomaly, and a still greater injustice;—an anomaly, for the parties to the suit are admissible witnesses in some suits, even on the question of adultery, while in others they are excluded, not only on the question of adultery, but on all others, such as cruelty, condonation, desertion, &c.; and this for no reason but that the form of the suit differs;—a great injustice, for as the law now stands, the sayings, writings, and acts of the accused are all given in evidence against him, and he is obliged to stand by and hear them without the power of one word to explain them away. I do not hesitate to say that this is a grievous hardship to the individual, and a great impediment to the discovery of truth. I will only add that these evils would be efficiently cured by a law which should render the parties admissible in all cases, but compellable on the question of adultery in none. And I can see no evil likely to attend such a law, except the inevitable lengthening of trials thereby, as has happened in the common law courts.—
> "Yours very truly,
>
> JAMES WILDE."

To that objection he need not refer, because no one in the House would contend that the mere occasional lengthening of suits should oppose any obstacle to the pure administration of justice. The anomalies to which the learned Judge had referred were of such a singular character that he hoped Parliament would assist him in abolishing them. In the case of a suit for a divorce by reason of adultery, the parties were incompetent as witnesses; and if there were a suit for cruelty or desertion, or for any other cause of complaint by a wife against her husband, coupled with a complaint of adultery, the parties upon both sides were, until the law was partially amended, excluded from giving evidence, even upon questions unconnected with adultery, which might arise in the course of the suit. Now, it was never intended by the Act of Parliament to make them incompetent in such cases. On the other hand, this singular result had followed from the present state of the law. If a wife instituted a suit against her husband for cruelty or desertion—but without including adultery as a subject of complaint—or a suit for restitution of conjugal rights, or of nullity of marriage, and then the husband set up a case of adultery on the part of the wife, the husband and wife might come into the witness-box and give their evidence; and not only were they both competent witnesses on the questions of cruelty or condonation, but also upon the question of adultery itself. The husband and wife might thus charge each other with adultery, and give evidence against the charge or in support of the charge, just as if there had been no exception in the Act of Parliament. He would not detain the House by alluding in detail to the serious mischief resulting from the present state of the law, but would merely observe that, by one of the clauses of the Bill, it was proposed to render parties in a case of adultery, as well as in other cases arising in the Court of Divorce, competent witnesses, if they thought fit to tender themselves; but in no case was it proposed to make it compulsory upon them to come forward in that character. This clause had the approval of the learned Judge, and would completely effect the improvement suggested. While upon the subject of the Divorce Court, he would mention another clause of the Bill to which he might call attention. By one of those oversights or that kind of inattention to the effect of one statute upon another, from which we should never be free until a Minister of Justice or some Board of competent jurisdiction was appointed to watch the progress of legislation, although in a suit for adultery and some others any party had the power to insist on the trial of the case before a jury, yet in a suit of legitimacy, involving position in society and perhaps the title to estates of immense value, and in suits of nationality, of scarcely less importance, it was left in uncertainty and doubt whether the Judge was bound to grant a trial by jury or not. A clause in the Bill, to which he hoped the House would assent, expressly gave to either party in any of these cases the right to a trial by jury. The Bill likewise proposed to make parties admissible as witnesses in criminal cases. He was quite aware that grave doubts were felt by many persons upon this question; but he hoped the House, even if it should be indisposed hereafter to agree to the proposition in its fullest extent, would at least sanction the change in cases of misdemeanor, where it was frequently at the option of the party prosecuting either to sue in a civil action or to indict upon a criminal charge. In such cases long experience in criminal courts showed that the complainant often preferred to proceed by way of a criminal prosecution in order to exclude the testimony of witnesses by including them as parties in the indictment whose evidence, if given, would clear the accused from the charge made against him. Looking to that power, which was often exercised for evil purposes, and in a manner fatal to justice, he hoped the House would at least lend its sanction to the proposal in that moderate form. He did not, of course, propose in any part of this Bill to violate the old and approved maxim that no man should be compelled to criminate himself, but merely to give to the defendant the power, if he thought fit to avail himself of it, of tendering his evidence, subject, of course, to cross-examination and all its consequences. There were one or two other clauses in the Bill which he should not discuss at present. One of these was to enable counsel in criminal prosecutions to sum up the evidence on one side and on the other, in the same way that could now be done in civil cases; another was to enable either the prosecutor or the accused in criminal cases at the Central Criminal Court or at the Assizes, under the authority and with the approval of a court of common law or a Judge, to try a case, though a criminal case, by a special jury. These were the principal clauses of the Bill. He would not anticipate objections that might be made, but any improvement that might be suggested by any hon. Member he would gladly entertain. The hon. and learned Member then moved for leave to bring in a "Bill for the further Amendment of the Law of Evidence, and the Practice in certain Courts of Justice."

THE SOLICITOR GENERAL said, that any proposition for the amendment of the law coming before the House on the authority of his hon. and learned Friend (Sir Fitzroy Kelly) was deserving of favourable consideration, and, therefore, the Government would offer no opposition to the introduction of the Bill; but, inasmuch as there were very important questions raised by the Bill, it must be fully discussed on a future stage, and the House would see that it was convenient to postpone the discussion to that stage. He quite concurred in the eulogium pronounced by his hon. and learned Friend on the working of the Act of 1851, and could add his testimony to that of the hon. and learned Gentleman as to the beneficial results that had followed from allowing the parties in civil actions to be examined on oath. When that Act was passed, one or two exceptions were made to the general rule, and his hon. and learned Friend now proposed to repeal those exceptions. But those exceptions were not made without consideration, and it was a grave question whether they should be repealed. No doubt, as far as proceedings in the Divorce Court were concerned, there was an anomaly which it might be desirable to correct, but when his hon. and learned Friend proposed to allow the accused party, in a case of misdemeanor, to be examined, that was a proposition on which he did not feel called upon to give an opinion at present, and to which he thought the House ought not to accede until the matter had received very careful consideration.

MR. HADFIELD said, the principle ought to be extended to criminal cases. If, for instance, Mr. Bewicke had been allowed to give evidence, he would most likely have broken down the case, and all the painful consequences that followed would have been prevented.

MR. SCULLY said, that he had always thought it was an outrageous injustice to a person charged with crime that he should be the only person whose mouth was closed, though he was generally the person who knew most of the circumstances of the case. He had witnessed a great number of trials in Ireland, and he did not recollect a single instance in which the ends of justice would not have been furthered if the party accused had been allowed to give evidence. He remembered the time when the parties to proceedings were not allowed to give evidence in Chancery or in common law; but now in nine cases out of ten their evidence instead of being excluded was the chief testimony.

Motion *agreed to.*

Bill for the further amendment of the Law of Evidence, and the Practice in certain Courts of Justice, *ordered* to be brought in by Sir FITZROY KELLY, Mr. MACAULAY, and Mr. M'MAHON.

Bill *presented,* and read 1° [Bill 20].

JUSTICES OF THE PEACE PROCEDURE BILL.

On Motion of Mr. PAULL, Bill to consolidate and amend the Acts regulating Proceedings before Justices of the Peace out of Quarter Sessions in England, *ordered* to be brought in by Mr. PAULL, Mr. STANILAND, and Mr. RICHARD HODGSON.

INSOLVENT DEBTORS BILL.

On Motion of Mr. PAULL, Bill to facilitate the discharge of Insolvent Debtors in certain cases, *ordered* to be brought in by Mr. PAULL, Mr. LOCKE, and Mr. M'MAHON.

FELONY AND MISDEMEANUR EVIDENCE AND PRACTICE BILL.

On Motion of Mr. DENMAN, Bill for amending the Law of Evidence on Trials for Felony and Misdemeanor, *ordered* to be brought in by Mr. DENMAN, Mr. LOCKE, and Sir COLMAN O'LOGHLEN.

Bill *presented,* and read 1° [21].

ELECTION PETITIONS ACT (1848) AMENDMENT BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to amend "The Election Petitions Act, 1848," in certain particulars, *ordered* to be brought in by Sir COLMAN O'LOGHLEN and Mr. ADAIR.

Bill *presented,* and read 1° [19].

House adjourned at a quarter
after Seven o'clock.

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HOUSE OF COMMONS,

Wednesday, February 15, 1865.

MINUTES.]—PUBLIC BILLS—*First Reading*—Public Houses Closing Act (1864) Amendment [22];* Justices of the Peace Procedure [23];* Insolvent Debtors [24].*

Second Reading — Mortgage Debentures [1]; Land Debentures (Ireland) [9]; Land Debentures [18].

Referred to Select Committee—Mortgage Debentures; Land Debentures (Ireland); Land Debentures, to the same Committee.

MORTGAGE DEBENTURES BILL.

[BILL 1.] SECOND READING.

LORD NAAS then moved the second reading of "A Bill to enable certain Companies to issue Mortgage Debentures founded on Securities upon, or affecting Land, and to make Provision for the Registration of such Mortgage Debentures and Securities." The history of this measure was somewhat peculiar. Last year a Bill of this nature was introduced into this House as a Private Bill. It obtained the sanction of the House in all its stages as a Private Bill, and was sent up to the House of Lords. In that House the Peer charged with that department came to the conclusion that it was not fitting to deal with its contents as a Private Bill, but that it ought to have been brought under the consideration of Parliament as a Public Bill. It was, therefore, dropped in the House of Lords as a Private Bill, and in that House a Bill similar in its provisions was introduced. After undergoing a very minute scrutiny by their Lordships it was referred to a Select Committee, and thereby still more carefully considered, and he (Lord Naas) invited the attention of the House to the constitution of that Committee to show with what authority this Bill was now brought before the House. The Committee included the Lord Chancellor, Lord Derby, Lord Granville, Lord Stanley of Alderley, Lord Grey, Lord Wensleydale, Lord Overstone, Lord Portman, Lord Donoughmore, Lord Cranworth, Lord Malmesbury, and others. Those names were sufficient to show that the provisions of the Bill were carefully considered; and although they made some alteration in its details, they approved of its principle, and the Bill subsequently passed very much in the state in which it was now submitted to this House. It came back to the House at a period when the Session was greatly advanced — namely, the second week in July; and, although there was no opposition, the Attorney General suggested, very properly, that a Bill of so much importance could not possibly receive the attention it required, and it was withdrawn simply on account of want of time to discuss its provisions. The reason for making this a Public and not a Private Bill was that the advantages which, as a Private Bill, it was proposed to give to certain companies ought to be given to companies in general. The object of the Bill was a very simple one. That object was to inaugurate and promote a gradual extension of land credit throughout the country, and it was proposed to do that not by the creation of any new system of incumbrancing or mortgaging land, but by, as far as possible, adapting the old system to the new state of things, and by adding to it a new system which would have the effect of remedying many of the evils to which he should presently have to allude, and which had already been recognised by Parliament. The difficulties attending the negotiation of securities affecting land, and those which had always stood in the way of land credit, had more than once occupied the serious attention of Parliament. So far back as the year 1846 a Committee of the House of Lords which inquired into the burdens on land alluded very pointedly to this subject. Their Report stated that the market value of land was seriously diminished by the tedious and expensive process attending its transfer, and by the expenses which were incident to the raising of money upon landed securities; and Lord Langdale's Registration and Conveyancing Committee, which sat not long afterwards, reported very much to the same effect. Since that time the evils which were then complained of had been greatly aggravated. A great deal had very properly been done by that House to extend the credit of personal property, and to facilitate the sale and transfer of securities affecting personal estate. There had been an enormous extension of trade, and the application of the principle of limited liability to the industrial pursuits of the country had enabled aggregations of small capitalists to engage in operations which could formerly be carried on only by merchants, bankers, and large capitalists. The powers of trustees had been greatly enlarged, so that they might now invest trust funds in railway debentures, Indian loans, and other securities which, fifty years ago, were never to be found within the limits of a deed of trust. The advantageous rates of interest, combined with the security which many such undertakings offered, materially affected the land credit of the country, because persons who had money to dispose of found it advantageous to invest in railway debentures, or to embark in foreign, colonial, or Indian loans. All these circumstances had of late years been constantly at work, and had been yearly, and almost daily, narrowing the circle from which money could be obtained on mortgage of interests on landed estates. He did not mean to deny that it was still easy to obtain a first mortgage within any moderate limit as to amount; but he had it from very high authority that, if there was any prior charge upon the estate, even ordinary small family charges, the difficulty of effecting a mortgage or borrowing money upon the security of the estate was enormous. The fact was that the great bodies who mostly undertook that sort of business had their tables so covered with applications that they picked out the plums and threw the others aside. If nothing was done to remedy these evils they would go on increasing; for, looking at the present state of commercial and monetary affairs in this country, he saw no probability of anything occurring to increase the value or facilitate the operation of land credit. Parliament had from time to time recognised the evils of which he was now complaining. One of the great objects of the Land Transfer Act was to facilitate, not only the sale and transfer of land, but its mortgage, and to extend its credit; and the numerous improvement Acts, the Copyhold Enfranchisement Act, the Exchange of Lands Act, and all those of which the Inclosure Commissioners superintended the registration, showed how Parliament had from time to time endeavoured, to a small extent, to proceed in that direction. Much, however, remained to be done, because many undertakings which were most needed on public grounds, such as those for the improvement of towns, the reclaiming of land from the sea, and similar purposes, could not be carried on, in consequence of the inability of the persons who were concerned in them to obtain, in the present state of the money market, the loans which they needed, and for which they could give ample and complete security. The works, however, would prove unprofitable if executed by means of money borrowed at a high rate of interest. Before referring to the details of the measure, he desired to say that this Bill, differing from that introduced by his hon. Friend the Member for Cork (Mr. Scully), was not founded upon the principle that debentures should be issued upon the security of individual estates. He doubted whether a system of that kind could be made sufficiently safe, but he should be glad to hear what could be said in its favour. He had a strong idea that a debenture for a small amount, issued upon the security of a small estate, would not be of much value in the money market. In the case of larger estates it might do, but he was certain that with reference to the smaller estates, which required the greatest amount of relief, a system of debentures secured upon individual estates would be practically inoperative. He could not think that even debentures issued upon the security of large estates would ever be found to command the same consideration and confidence in the money market as a debenture which formed one of a series representing mortgages equal or superior in value, issued by a financial company conducted by men of character, experience, and ability, who would offer to the public, beyond the value of the mortgages taken, the guarantee of a large paid up and a still larger subscribed but unpaid capital. He proposed to offer a public register, conducted by a public officer, which should be open to the inspection of the world, and a provision of that sort was, he thought, much calculated to recommend the system to general confidence, and to place it in a very advantageous point of view, when compared with that of his hon. and learned Friend the Member for Cork. He did not think that the operation of his plan would be so large as that of the hon. and learned Member, but he was certain that it would be much more safe. Another recommendation of his plan was that it would not interfere with the value of existing securities. Every one knew the enormous sum of money now invested on loan, and he thought it very undesirable that any decision of the House should suddenly and rudely do anything to reduce the value of those securities, by which the interests of a very large number of persons were affected. That was a consideration of so much importance that he thought it ought to be carefully considered in Committee. The system proposed by the Bill was, in reality, very much the same as had been in operation in Prussia for a great number of years. Under the Prussian system land debentures were generally issued by companies of landowners associated together for this purpose, and the lands belonging to the members were generally pledged as security. The Prussian system had been very well and very concisely described by the hon. Member for Westmeath (Mr. Pollard-Urquhart), who said—

> "The land debentures in Prussia are issued by companies of landowners, which began to be formed in its different provinces in the year 1769 and the following years. In some of the provinces, it is optional with the proprietors to belong to them or not, as they please; in others they are obliged to do so, whether they wish to avail themselves of their advantages or not; or, in other words, all the property of the province goes security for the money borrowed by the companies."

Mr. John Stuart Mill had also declared himself decidedly in favour of that system, which tended, in his opinion, to increase the value of estates. He said—

> "In Germany one of the safest and most usual investments for small sums is a kind of land debenture. The mortgages there were divided into shares, and the documents which conferred the right to those shares were very generally in use

as investments by all classes, and were found very convenient, and increased very much the facilities of mortgaging land for its value. They also increased the value of land."

Herr Bulow Kummerow, a distinguished Prussian authority, speaking of the Prussian Land Credit Association, added—

> "Land debentures effectually establish the credit of every owner of real property, inasmuch as he is enabled by their instrumentality to command a certain sum of ready money in proportion to the value of his estate. And while, on the one hand, the proprietor is free from the annoyance of having any loan on his estate suddenly called in, on the other hand the capitalist need not be paid off against his will. Every owner of property is thereby furnished with means of improving his estate, and paying off, if advisable, any joint partners or coheirs thereof that may exist."

Now, if any hon. Member would take the trouble to compare the system, the adoption of which he proposed, with that described by the hon. Member for Westmeath, he would find that there was as great a similarity between them as could, under the circumstances, be expected to exist. The security offered under his Bill was superior to that offered under the Prussian system, because there was not only the security of the mortgages possessed by the Company, but also the security given by a large paid-up capital, besides the further liability of a private capital. The Bill was not in any way an enabling Bill, but it did provide that if persons wished to take the business in hand they might make an appeal to the registrar, in which case they must place themselves under restrictions of a very stringent character. The first provision of the Bill set forth what companies were entitled to avail themselves of the opportunities afforded by the Bill, and respecting each of such companies three rules were laid down—first, its object must be to make advances on the security of real estate; secondly, to borrow money on mortgage debentures; and thirdly, that the capital should not be less than £1,000,000 and the shares not less than £50 each, and that one-tenth, and not more than one-half of the nominal amount of such share issued, should be paid up. He did not think the regulation would be over stringent in that respect. The Bill then proceeded to describe the nature of the securities on which debentures might be issued—those comprising lands, tenements, and hereditaments, and it provided that when the documents were completed they should be produced to the registrar of titles for landed estates, and should be registered in a book kept by him. The clause then went on state that he was not to register any deed or instrument that was not shown to be good security to the company under the Act. Neither was he to register any security unless there had been produced for his inspection a certificate of a surveyor, who should certify that, according to his judgment, the value of the lands in question exceeded the amount to the extent of one-fourth at least of such advance. The company should be thus protected against accepting the security of any property beyond three-fourths the actual value of the same. Then upon the securities being so registered the company might issue mortgage debentures in such a way that the aggregate principal sum secured by all the mortgage debentures should never exceed at any time the amount of the registered securities of the company. That was the cardinal point of the measure—the Bill required that all means should be taken whereby the company would be obliged to carry out to the fullest all the conditions upon which it had been established. The company would be compelled to make quarterly returns to the registrar of all Mortgage Debentures issued, and of all securities accepted by it. He considered that a most important provision of the Bill, as those quarterly returns would necessarily be a bar to the issuing of any greater amount of debentures than that of the securities which the company held. No landholder could take back his deeds unless the instrument was really one to be cancelled, and unless the registrar was satisfied that the objects for which the deed was executed were discharged. Those quarterly returns would have the effect of placing in the hands of the registrar a perfect check over any company who might wish to do anything that was contrary to the provisions of the measure. He need scarcely say that, if any suggestions could be made to make the Bill more stringent in that respect, he should be most happy to adopt them. There would be a register of debentures as well as a register of securities kept. Every debenture when effected must be presented to the proper officer for registration; so that any person going to the office would see in the registry-book the full particulars as to the debentures that were issued. The latter part of the Bill provided for the appointment of a receiver in case the interest had not been paid, or in case of the principal monies secured by mortgage debentures not being forthcoming at the proper time. The Court of Chancery would have power to appoint this receiver upon the application of the parties interested. The receiver so appointed would be entitled to recover the whole or a competent part of the money due to the company. It was also provided that if the company should in any way place itself without the provisions of that Act, its operations should virtually cease. That part of the subject was dealt with under penal clauses. Those were the leading features of the Bill. It had been thought that the security proposed to be created here was one of such a nature as to induce the House to consent to giving trustees the power to lend upon other securities than those of mortgage upon real property. That was, no doubt, an important portion of the Bill. It was a proposal that he thought commended itself favourably to the consideration of the House, from a recollection of what had already been done in the same direction. Until lately the range of investment given to trustees was very limited, being restricted to the public funds and Government securities in England and Wales. But so great had been the demands of parties interested in joint-stock companies that the power of trustees had since been much enlarged. He was informed that in *Davidson's Precedents on Conveyancing* the power given to trustees for investment was extended to the Government Securities in any of our colonies, as well as to those in any parts of the United Kingdom, and likewise to certain corporations of public bodies formed for commercial purposes. According to that authority, trustees were empowered to invest in almost any possible security that could be found. But what the House had done in this respect was remarkable. So far back as 1834, it dealt with the subject. By the well known Act called Lynch's Act, trustees were empowered to invest money upon land in Ireland. Lord St. Leonard's Act declared, that when the trustee was not absolutely forbidden to invest in certain securities, it would be lawful for him to invest in any stock that presented the best returns. The Law of Property Further Amendment Act gave the Lord Chancellor power to order such investments as he deemed best. Other Acts of a similar character were subsequently passed, and it was now a remarkable fact that the Court of Chancery was in the habit of giving its sanction in reference to wards for investment even in railway companies which paid a good dividend. Those steps in advance, enlarging the power of trustees as to investment, were a great benefit to all parties concerned, without creating any risk as to the security of the trust funds. Under such circumstances, he thought that the promoters of the Bill had a right to ask the House to allow trust money to be invested in such debentures as this Bill proposed to issue. Some of the proceedings taken under the Land Improvement Act could never have been put in operation unless some such system had been sanctioned by that Act. Rent charges under the Land Improvement Act were effected in the same manner as the present measure proposed. Not less than £2,000,000 had been expended in the drainage of land under the sanction of the Inclosure Act, not one shilling of which would have been expended but for some such Act. He had no doubt that the Bill he had to propose might be considerably improved. He had been in communication with the hon. and learned Attorney General on the subject, who had suggested that this and the other Bills on the same subject should be referred to a Select Committee. He did not object to that course being taken. He believed that if the Committee were impartially constituted the result would probably be favourable to his Bill. At all events, he was sure that it would receive from the Committee that consideration which the importance of the subject deserved.

Moved, That the Bill be now read 2°.—(*Lord Naas.*)

SIR GEORGE GREY said, that the noble Lord was correct in his statement as to what had passed last year on the subject; and also when he said that the course which his hon. and learned Friend the Attorney General thought it expedient should be taken with regard to this Bill, and the other Bills on the paper dealing with the same subject, was that they should be referred to a Select Committee. He thought the subject was one of great importance, and required most careful consideration, and, therefore, he proposed that the subject should be thoroughly investigated before a Select Committee. It must be distinctly understood, however, that in agreeing to read the Bill a second time, they were in no way committed to an adoption of the principle of the Bill, and were free to deal with it as they pleased when it emerged from the Committee.

Mr. HENLEY was glad that the Bill was to be referred to a Select Committee. He agreed with the noble Lord that the subject of it was most important. He saw no reason why landowners and mortgagees should not have "jobbers," as in the corn market—he meant by that, persons who came between lenders and borrowers. Everybody knew that there were parties who greatly wanted to borrow money, and that there were others who only wished to lend in driblets, and he, therefore, saw no objection to an intermediate party. Great public advantage would be the result if some such system could be established in the present case. But if, as the noble Lord had correctly stated, the present Bill was not an enabling Bill, why had he come to Parliament on the subject? Was it because it would furnish a kind of *quasi* security and encourage people to buy the debentures? It was a grave question whether Government officers should be mixed up in the matter at all. The noble Lord had said that they would be merely Ministerial, without any responsibility. But would not the public look upon them as in some degree responsible. He doubted whether all these negotiations would give any security, and whether it would not be a delusion so far as acts were concerned. They all knew that surveyors differed in their valuation of property quite as much as the margin referred to in the Bill, and as much as actuaries. All he asked was that the Government would take care that the security should not be an apparently Government one. They were all aware of what happened in the case of the savings banks, which people were led to place confidence in from the belief that they had Government security for their money; and he therefore trusted the example of the savings banks would be a warning to the Government not to permit this Bill to be made the instrument of a similar delusion upon the public. The case of the Inclosure Commissioners was not a precedent in point, because it was more possible to tell what would be the increased value to the land from drainage. These documents were to be taken bodily to the office, and were to be ticketed and docketed, but still they would not get rid of the difficulty of the investigation of title. In good hands, like those of the noble Lord, the object might be carried out without coming to Parliament at all. The noble Lord had not stated, when he alluded to the difficulty of borrowing money on a person's title, whether he intended that the titles should then be investigated. When that was once done, no doubt great advantage would be the result, as no further investigation would be required. He hoped the Bill would be referred to a Select Committee, and that they would put it into proper shape.

Mr. SCULLY thought the noble Lord had brought his view of the question forward very clearly, and had made no mistakes as to legal details. The subject was one of the deepest interest, especially to the owners of land. He should not oppose the second reading of the noble Lord's Bill, as it, his own Bill, and that of the hon. Member for the Tower Hamlets (Mr. Ayrton) on the same subject were to be referred to a Select Committee. He certainly could not say that he approved the details of this Bill or of its principle. The proper principle of a Bill of this kind was that of enabling landowners to raise money for the benefit of the landed interest, and not for the benefit of money jobbers. It practically gave to large companies a monopoly of the mortgages on land. On the face of the Bill these companies might borrow on any description of securities affecting land, but every one connected with the profession knew that there was only one sort of real security. Then again, he thought it most objectionable that money was to be advanced to the extent of three-fourths of the value on the mere certificate of a surveyor. There was a great similarity between this Bill and the Private Bill of last Session, for which Lord Redesdale had substituted a Public Bill in the House of Lords. It was a Bill that had been brought in for a private company, and he hoped the House would narrowly watch it, for it was not a Bill in the interest of landowners. As he understood the noble Lord's Bill, it contemplated the raising of £2,000,000, of which £100,000 was to be paid up. The remaining £1,900,000 was, under the last provision of the 3rd clause, to constitute the substantial security of the bondholders. The company was empowered to borrow on terminable annuities, which were no securities at all. His attention had been directed to this subject before the establishment of the Incumbered Estates Court; and an opinion of his own, written at the instance of a well known solicitor of those days, Mr. Pierce Mahony, contained a distinct recommendation of a plan for facilitating the transfer of estates, through a system to register titles, and to create land debentures. When the Incumbered Estates Act passed in 1849, there was an absolute race on the part of the solicitors to sell Irish estates; and the proprietors were compelled to look about for some means of creating a fund for the purchase of land, instead of allowing it to be thrown away at ruinous prices. The present Master of the Rolls, Sir John Romilly, introduced what was called the Securities for Advances Bill to facilitate this aim; but the great blot of the measure was that it compelled the landowner, instead of going into the market himself, to apply to some money jobber, who would be willing to advance the sum needed *in globo.* When this was pointed out, such a feeling was raised upon the subject in Dublin, that in ten days the views of the landowners changed, and they determined to petition against the Bill in the form in which it had been introduced. The principle of the Bill which he (Mr. Scully) proposed, and which had received the sanction of high authority, was, that the landowner, having an indefeasible title, should be allowed to have debentures issued to himself, or those whom he indicated, to the extent of half the value of the land. That would give greater security to the public than the plan proposed by the noble Lord. If an estate was valued at £20,000, he proposed that the owner should have £10,000 of debentures issued to him—namely, one hundred debentures of £100 each. The fact was, that if a debenture Bill were to be passed at all, it must be based upon one or other of two antagonistic principles — either it must have for its object to benefit the large money lender, or else to benefit the landowner. Now the high authority of Judges Longfield and Hargreave, of Master Brooke, and of men unconnected with the law like Sir R. Griffith, Lord Dunalley, and others of similar standing, was altogether in favour of giving power to the landowner, having an indefeasible title to create debentures to the extent of half the value of his land. The noble Lord maintained that such debentures would not circulate unless with the aid of some leviathan company. He believed, on the contrary, that the indefeasible title forming the basis of the security would insure the circulation; but, supposing it were otherwise, what was to hinder any company or joint-stock bank buying up such securiites, and giving them the additional guarantee of their own endorsement, *quantum valeat.* Was it proposed, he would ask, that the capital and the mortgage debentures of the company, advocated by the noble Lord, should be limited to £100,000, or that they should be indefinitely extended so as eventually to absorb the whole landed securities of Great Britain? The clause in the Bill was capable of either construction. It might be said that men were not bound to take their business to the company's shop; but once let it be established, and the same result would follow that had happened in Ireland, where a proprietor wishing to sell his estate was practically compelled to employ the agency of the Landed Estates Court. He protested against the doctrine that landowners as a class brought difficulties upon themselves by their superior improvidence. The fact was, that these came upon them owing to their want of command of ready money. A country gentleman with a property yielding £10,000 a year never shrank from a contested election, or other large expenses; but when he was called on to pay the bill then he was confronted with the difficulties of his position, and found himself really poorer than a man possessed of £20,000 cash. The principle of land debentures was not a new one, and the Prussian system was not so objectionable as the scheme of the noble Lord; because in Prussia the association was rigidly confined to landowners, who clubbed their properties together, and was altogether distinct from a company whose sole object was to screw the utmost possible amount out of the estates. The Crédit Foncier of France was an institution which issued a description of land debentures. There were also land debentures in the Channel Islands, and even in Ireland. For the Bill which he himself intended to ask the House to read a second time he had not been able to find an exact precedent, the nearest debentures in point of form being those issued in connection with drainage operations in Ireland; but there was no reason why a proposal, otherwise good, should be rejected solely on account of its novelty. In this age of reform and improvement, if any one proposed useful reform, novelty ought not to be an objection to it. Where an abuse existed he thought the best plan for the reformer was to ask himself what was the best remedy, as if he had before him a *tabula rasa;* and when he had arrived at a conclusion then to ask himself to what extent that conclusion should be modified by precedents. To illustrate the probable working of his plan, the hon. Member read an extract from *All the Year Round*, and went on to contend that there was no advantage claimed for the measure proposed by the noble Lord which was not better attainable under the Bill that he advocated. The present Lord Chancellor (Lord Westbury) was favourable to the scheme, and at the suggestion of that noble and learned Lord he had amended one of the clauses. It was very desirable that as this subject was to be referred to a Select Committee that tribunal should also have before it the three Bills, for which respectively the noble Lord opposite, the hon. Member for the Tower Hamlets, and he himself were responsible. For his own part, he had not much confidence in the ability of a Select Committee to deal with such a question. It could be much better considered by a Commission composed of competent lawyers, landowners, and merchants. He trusted that the sending of the question before a Select Committee would be followed by a Royal Commission; and although, as one of the necessary preliminaries towards legislation, he now assented to the reference of these Bills to a Select Committee, he should reserve to himself the right hereafter of opposing any of the recommendations made by the Committee, as he believed the subject was of so wide and difficult a character that it could scarcely be dealt with in a satisfactory manner by a Select Committee. His own opinion was that the Crown should appoint a Commission, of distinguished and impartial persons, to institute a full inquiry into the whole question. In that House and upon Committees there were always individual interests leading hon. Members, however able, to approach the consideration of the subject with a foregone conclusion in their minds. The noble Lord, for instance, and the hon. and gallant Member beside him (Colonel Greville) were both connected with the company in whose interest this Bill was promoted, and instinctively they would be the advocates of that company before the Select Committee.

Mr. AYRTON said, everybody must admit that the landed interests had long been suffering from the great inconvenience and extreme difficulty of borrowing money upon land, and from the difficulty, not less great, of transferring loans and securities already effected from one person to another. The value of the security was depreciated in both ways, and the process was equally inconvenient for those who wished to borrow or to lend money upon the security of land. Some Gentlemen, recognising these difficulties, introduced a Bill last Session, and when it found its way into that House, he had called attention to some of its provisions which appeared extremely objectionable. Owing to difficulties of a legal and technical nature, it was impossible to borrow money on the security of land, or to transfer it in the manner proposed, without providing new legal remedies, and the measure was a great enabling Bill, which altered the law on this subject. The question was, however, whether, if there were to be intermediate agents at all, the Legislature should not give them more latitude—whether the nature and extent of the company should not be left to the discretion of those who were to form it and to avail themselves of its provisions. His own opinion was, that the agency should be of the most general character, and that any joint-stock company should be allowed to carry on the business on whatever basis the shareholders might desire. Another question also arose—namely, whether it was absolutely necessary to have any intermediate agency at all, or whether, on the other hand, Parliament ought not to enable the landowner to borrow the money himself by debenture. The most comprehensive Bill on this subject would be, he thought, that which the House would be most disposed to sanction. He, for one, should not give a preference to any measure giving great privileges to one set of persons that were denied to another. Hitherto the difficulty in carrying out a similar measure had been that there had been no land registry office to stand between the borrower and the lender, and to secure to the latter an adequate protection in the way of title. But, by the Lord Chancellor's measure, passed two or three years ago, establishing a land registry, these difficulties were obviated, and the landed interest might have all the facilities it desired for borrowing money. Having had something to do with obstructing the Bill of last Session, he had thought himself called upon to produce a measure of his own; and, as he understood it was the intention of the Attorney General to refer these Bills to a Select Committee, he should be happy to assent to that course. He differed from his hon. Friend (Mr. Scully), who thought that a Select Committee was incompetent to deal with this subject. He believed, on the contrary, that if the Committee pursued its investigations in a reasonable and impartial spirit, the result of the inquiry would be that a measure at once beneficial and satisfactory to the landed interest and the public might be framed and carried.

Motion *agreed to.*

Bill read 2°, and *committed* to a Select Committee.

LAND DEBENTURES (IRELAND) BILL. [Bill 9.] and LAND DEBENTURES BILL [Bill 18.]

Bills read 2°, and *committed* to the same Select Committee on Mortgage Debentures.

And on February 17 Select Committee nominated, as follows:—

Lord Naas, Lord Stanley, Mr. Ayrton, Mr. Scully, Mr. Walpole, Mr. Goschen, Mr. George Grenfell Glyn, Sir James Elphinstone, Mr. Hodgkinson, Sir Colman O'Loghlen, Mr. Howes, Mr. Wentworth Beaumont, Mr. Peel, and The Judge Advocate:—Five to be the quorum.

On February 20, Mr. Hunt *added;* and on February 21, Mr. Pollard-Urquhart and Mr. Longfield *added.*

House adjourned at a quarter after Three o'clock.

* * *

HOUSE OF LORDS,

Thursday, February 16, 1865.

MINUTES.]—Select Committee—On Private Bills *appointed;* on Opposed Private Bills *appointed.*

ILLICIT DISTILLATION — CONSTABULARY (IRELAND).—QUESTION.

The Earl of LEITRIM inquired, Whether, since 1856, any rules and regulations has been made in respect to the employment of the Irish Constabulary for the suppression and prevention of illicit distillation in Ireland; and, if so, why they have not been laid before Parliament, as required by the Act passed in the year 1854?

Earl GRANVILLE said, that the rules and regulations which had been laid before Parliament in the year 1856, applied only to the county of Cavan, and another county. Subsequently, at the desire of the Treasury, the Lord Lieutenant of Ireland extended the operation of the rule to the whole of Ireland. He was not aware that any additional rules could be issued, but if he found on inquiry that any such existed, he would have them laid on the table of the House.

PRIVATE BILLS.

Standing Order Committee on, *appointed:*—The Lords following, together with the Chairman of Committees, were named of the Committee:—

Ld. President.
D. Somerset.
M. Winchester.
M. Lansdowne.
M. Bath.
M. Ailesbury.
L. Steward.
E. Devon.
E. Airlie.
E. Hardwicke.
E. Carnarvon.
E. Romney.
E. Chichester.
E. Powis.
E. Verulam.
E. De Grey.
E. Stradbroke.
E. Amherst.
L. Chamberlain.
V. Hutchinson.
V. Eversley.
L. Camoys.
L. Saye and Sele.
L. Colville of Culross.
L. Ponsonby.
L. Sondes.
L. Foley.
L. Dinevor.
L. Sheffield.
L. Colchester.
L. Silchester.
L. De Tabley.
L. Wynford.
L. Portman.
L. Stanley of Alderley.
L. Aveland.
L. Belper.
L. Ebury.
L. Churston.
L. Egerton.

OPPOSED PRIVATE BILLS.

The Lords following, viz.:—L. Colville of Culross, L. Ponsonby, L. Colchester, L. Stanley of Alderley, were *appointed,* with the Chairman of Committees, a Committee to select and propose to the House the Names of the Five Lords to form a Select Committee for the Consideration of each Opposed Private Bill.

OPPOSED PRIVATE BILLS.

RESOLUTION.

On the Motion of Lord Redesdale, *Resolved*—

"That all Petitions praying to be heard upon the Merits against any Bill in either of the Classes mentioned in Standing Order No. 178, be printed by the Petitioners, and Copies thereof deposited in the Office of the Clerk of the Parliaments, at such Time and in such Number as the Chairman of Committees may direct."

POOR RATES, METROPOLITAN AND SUBURBAN DISTRICTS.

PETITION.

Lord RAVENSWORTH *presented* a petition of inhabitants of St. Peter's District, Hammersmith, for the Equalization of the Rates in Metropolitan and Suburban Districts. The noble Lord said that the subject was one of very considerable interest, being connected with the larger question of union rating. But it was of particular interest to the districts concerned, and more particularly in reference to the great displacement of population which had taken and were still taking place in consequence of the railways and other large undertakings now in progress in the metropolis. The other evening their Lordships' attention was drawn to this result of the alterations and improvements now going on; and they were told that 14,000 persons had already been displaced, and that 3,500 more would be displaced by the works for which the sanction of Parliament was asked for this Session. No doubt these improvements were desirable on sanitary and social grounds; but by their displacements of population, while they increased the valuation of the districts improved, the pressure on the poorer districts, to which the displaced persons necessarily flocked, was made much heavier. The subject was by no means a new one, for so far back as 1858 meetings had been held in various parts of the metropolis, at which the speakers had succeeded in clearly pointing out the great amount of distress occasioned by the inequalities of the poor rates. In January, 1858, a meeting of the parochial clergy was held, at which the evil effects of high rates in poor districts was forcibly dwelt on. He had also a report of a meeting of medical officers of health, in which a vast amount of the suffering and misery among the poor was directly traced to overcrowding, which was continually increasing in suburban districts of the metropolis. That over-crowding again was traced to unequal rating; and the meeting of medical officers adopted a resolution declaring that the vast destruction of houses which was going on in the metropolis was injurious in a sanitary point of view. Last Session the noble Earl (the Earl of Derby) presented a petition from the district of St. George's, Southwark, complaining of the inequality of the system now in operation. The remedy for those evils was an extension of the area of rating from the suburban to the metropolitan parishes. He was ready to admit that great difference of opinion prevailed as to the advisability of this course. The question of the inequalities of rating had been brought under the consideration of a Committee of the House of Commons which sat last year, and in previous Sessions. Upon referring to this particular branch of the Committee's inquiry, he had been disappointed; inasmuch as the Committee, having pointed out the existing evils, came to a resolution which neither suggested a doctrine nor proposed a remedy. The Committee recommended the general question of extending the area of rating to the further consideration of the House; but they declared that the circumstances of the metropolis were so peculiar that in any legislation for extending the area of rating it would be necessary to have regard to those circumstances. The case of the suburban districts, as compared with the metropolitan districts, was comprised in this short sentence, that whereas the wealthy metropolis had the benefit of the labour of the able-bodied classes of the poor, the burden of maintaining the sick, the helpless, the aged, and the indigent of those classes was cast upon the suburban districts. If it were necessary, he could quote a number of communications he had received in support of his proposition, but he did not think it needful to take up the time of the House in doing so. The noble Lord concluded by asking, whether the Government contemplated any measures of relief to the suburban districts in their promised Bill for the amendment of the Poor Law Acts.

Earl GRANVILLE was understood to say that the Government proposed to introduce, in the other House, a measure embodying some of the recommendations contained in the Report of the Committee of the House of Commons last Session, but not contemplating any especial legislation on the subject-matter of the petition presented by the noble Lord.

Lord RAVENSWORTH said, he heard the statement of the noble Earl with great regret, and he could only say that the Government would hear more of the subject.

ILLICIT DISTILLATION IN CLARE AND DONEGAL.

The Earl of LEITRIM *moved*—

> "That an humble Address be presented to Her Majesty for, Return of the Names of such and so many Officers as The Lord Lieutenant of Ireland has considered it necessary and proper to appoint for the Purpose of carrying into effect the Provisions of the several Acts for the Suppression and Prevention of illicit Distillation in Ireland within the Counties of Clare and Donegal, under the Provisions of the 20 & 21 *Vict.* c. 40, s. 4."

The noble Earl proceeded to state at some length his views as to the arbitrary manner in which the police conducted themselves towards any of the peasantry suspected of illicit distillation, and asserted that the constabulary were in the habit of entering and searching houses without sufficient legal authority.

Earl GRANVILLE said, he would not follow the noble Earl through his legal argument. He believed the construction which the Government, by the advice of their Law Advisers, put upon the Act as to the employment of the constabulary in the capacity of revenue officers was quite correct. He could not accede to the Motion; because to give the Return asked for would be to publish the names of the entire constabulary force, for they were all qualified to act as revenue officers for the suppression of illicit distillation.

The Earl of LEITRIM said, he would relieve the noble Earl of all difficulty in the matter on the understanding that he would bring it under the notice of the Irish government.

Lord CHELMSFORD would not say that the Government were wrong in their interpretation of the Act; but he doubted whether it was the intention of the Legislature that the whole of the constabulary should be appointed to perform revenue duties. His (Lord Chelmsford's) view of the Act was, that the word "constabulary" was inserted in the statute by mistake; and that the real intention of Parliament was that there should be a separate class of officers, though borne on the constabulary force, appointed for the duty of searching for private stills without a warrant. This view was confirmed by a clause towards the close of the Act, which contained a provision that as applicable to the constabulary was absurd, but which would be very appropriate to a separate body of officers. He thought that the present state of things ought not to be allowed to continue; and he ventured to suggest to the Government that the intention of the Legislature might be reconciled to the language of the statute by the appointment of a special body of the constabulary expressly and solely for this duty.

Earl GRANVILLE said, he was very much obliged to the noble and learned Lord. With all submission to him, he preferred to ascertain the meaning of an Act of Parliament from the words of the Act rather than from some presumed intentions of the Legislature. Moreover, he perfectly recollected when the Act was under discussion similar observations to those of the noble and learned Lord were made by Lords Donoughmore and Monteagle, the discussion showing that the House understood the Bill in the sense which had been put upon it by the Irish Government. The object of the Bill was to introduce greater economy and efficiency in the revenue service in Ireland. He believed it had been very successful; but there certainly would have been no economy if a special force had been created for the purpose.

Motion (by Leave of the House) *withdrawn.*

House adjourned at a quarter past
Six o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, February 16, 1865.

MINUTES.]—New Member Sworn—For Salford, John Cheetham, esquire.

Public Bills—*Ordered*—Court of Chancery (Ireland) (No. 2); British Kaffraria; Juries in Criminal Cases.*

First Reading-Court of Chancery (Ireland) (No. 2) [25]; Juries in Criminal Cases [26];* British Kaffraria [27].

Second Reading—Courts of Justice Building [5].

PRIVATE BILLS—PRINTING OF PETITIONS.—RESOLUTIONS.

Mr. TORRENS, in moving a Resolution that the Petitions on every Private Bill shall be printed and copies thereof, and of the Bill itself, delivered to the Members of the Committee, said, that great inconvenience arose from the fact that Committees were furnished with only one copy of a petition, and that written on a large unwieldly piece of parchment, in a text which rendered it very difficult to read it. He need hardly remind the House that, under the present system, a Member of a Private Bill Committee had no opportunity of seeing the Bill he had to consider until going into the Committee-room, when the business is immediately commenced; and it surely will be admitted, that it will be a beneficial change to afford an opportunity, however short, to Members to read the Bill to be considered, and petitions which relate to it, before the actual hearing of parties is begun. When he brought the subject forward a few evenings ago he stated that he had ascertained, in answer to inquiries which he had made of various printing firms of great respectability, that fifty copies of a petition, consisting of four foolscap printed pages of matter, the paper being of the same size as that which was used for the Votes of the House, might be obtained for a sum considerably less than 28*s.*—a sum sufficiently moderate, he thought, to satisfy the right hon. Gentleman the President of the Board of Trade. He found, on further inquiry, the correctness of that information completely confirmed. In the Court of Chancery briefs and affidavits were now printed, to the great convenience of the public, and he believed that in another place Lord Redesdale was about that very evening to move that the petitions be printed for the more convenient reference of Members of Committees on Private Bills. The right hon. and gallant General the Member for Huntingdon (General Peel), seemed to consider it a hardship that petitioners should be put to the expense of printing the petitions which they were obliged to submit to Parliament in consequence of the action of the promoters of Bills; but, in the case of the promoters, the expense would fall more heavily on a single party than if divided among a number of petitioners. Besides, in the event of his (Mr. Torrens) proposing to throw all the expense on promoters, he greatly feared the opposition to his Motion would be so great that the contemplated improvement in the manner of conducting Private Bill business would not be concurred in by the House, and what he now proposed might be lost altogether. Moreover, the hon. Member for Haverfordwest was about to introduce a measure on the subject of costs in such Bills; and, if passed, as he hoped it would be, a remedy would be found for any hardship inflicted by promoters vexatiously dragging parties before Private Bill Committees. He hoped that the House would, for the reasons which he had given, assent to his Motion.

Motion made, and Question proposed,

"That on every Private Bill to be considered by a Committee of this House, all Petitions which shall stand referred to such Committee, if not previously withdrawn, be printed at the expense of the Petitioners, and Copies of such Petitions, together with a Copy of the Bill to be considered, be delivered to each Member of the Committee on the morning of its first sitting." (*Mr. Torrens.*)

General PEEL said, he would take it for granted that the object which the hon. Gentleman had in view was to promote the convenience of Committees by shortening their labour; but he very much doubted whether his Resolution was calculated to have that effect. If petitions were printed and placed in the hands of the Members of a Committee a few days before they assembled, he was afraid none but the youngest Members would take the trouble of reading them; for it would be found that when the Committee met the greater portion of the petitions would be abandoned altogether, and that the substance of those not withdrawn would be repeated over and over again *ad nauseam* by the counsel engaged in the case. The effect of the Resolution, too, he thought, would be to increase the number of petitions with which there was no intention to proceed. The object of these petitions would be to influence the minds of the Committee by statements not afterwards proved by evidence; and it would become the duty of the Chairman, at the commencement of the investigation, to tell the Committee to dismiss from their minds everything they might have heard or read and to confine themselves to the evidence. The House, in his opinion, was hardly strict enough in dealing with Motions submitting new Standing Orders for its acceptance. It would be well that proposals of that kind should in the first instance be laid before the Standing Orders Committee, who would report to the House as to the expediency of adopting them. How did matters stand at present in such instances as that to which the Resolution under discussion related? A great company desired to take the property of a private individual, and in order to carry out that object they came to Parliament; and a Committee was appointed, which the petitioners against the measure did not at all want. If, therefore, the House was of opinion that petitions should be printed for the convenience of such Committees, the expense ought, he thought, to be borne by the promoters of Bills. In railway legislation Parliament had gone from one extreme to the other. When railroads were first introduced the rights of the owners of property were much more considered than seemed to be the case at the present day. He was old enough to recollect when, at the outset, a Bill was almost certain to be lost unless the promoters had obtained the sanction of the landed proprietors. He recollected that the London and Birmingham Railway Bill was thrown out in consequence of the opposition of the proprietors of the land. Now, however, a race of speculators had arisen who were called "promoters" of schemes, who exercised their ingenuity in devising the wildest and most unnecessary undertakings, and who took little or no account of the rights of individuals, content with receiving from the shareholders a gratuity of £3,000 or £4,000, as it might be, for their exertions. He therefore proposed, in line three, to strike out the word "Petitioners," and to substitute the words, "Promoters of the Bill."

Amendment proposed, to leave out the word "Petitioners," in order to insert the words "Promoters of the Bill," instead thereof.—(*General Peel.*)

Question proposed, "That the word 'Petitioners' stand part of the Question."

MR. TORRENS said, he had not the least objection to accept the Amendment, and would have proposed it himself, had he the same weight in the House as the hon. and gallant Officer.

MR. MILNER GIBSON said, he entertained no great objection to the proposal in its original shape, but felt indisposed to support the Amendment. It was true that the promoters of a Bill in one sense always entailed expense on those who had to petition against it; but there was such a thing as vexatious opposition, and in those cases it would be highly unfair to throw on the promoters the costs of both sides. He therefore thought that if the petitions were referred to a Committee the expense should be borne by the respective petitioners. It would be also inexpedient to compel parties to print and deliver petitions two days prior to the meeting of the Committee; because it often happened that within that interval intended oppositions were compromised or withdrawn, and it became necessary to print the petitions.

MR. TORRENS said, that he had already altered the wording of the Resolution from "two days previously" to the "morning of the day" on which the Committee sat.

MR. MILNER GIBSON said, he had no objection to the proposal in that shape,

MR. CRAUFURD thought a Motion for altering the Standing Orders ought not to be dealt with by the House till it had been referred to the Standing Orders Committee, and those hon. Members who had charge of the Private business of the House. He had heard nothing to satisfy him that the proposed change would be attended with benefit; it would, in fact, tend to increase expense by adding the cost of printing to that of engrossing the petitions. The best way would be to allow these to be presented in type. He should like to hear the opinion of the Chairman of the Standing Orders Committee.

COLONEL WILSON PATTEN said, the Standing Orders Committee had not been consulted on the matter, but he thought the proposal not an unreasonable one, although in practice the cases were generally so well stated to the Committees by counsel that there was rarely any need to refer to the petitions themselves. The suggestion which had just been made, that petitions in the first instance, instead of being engrossed should be printed, was a very good one, and might hereafter be acted upon, though the point, he admitted, had never struck him before. He saw no reason why the petitions should not be printed and lodged in the Private Bills Office in the same way as the Bills were.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

THE LATE MR. GREGSON.

First Report of Public Petition Committee *brought up* and read.

VISCOUNT PALMERSTON: Sir, I am sure I am the faithful organ of the feeling of the Members of this House when I take this opportunity of expressing, as I think I may venture to do on their behalf, the deep regret which we all feel for the loss the House, has sustained in the death of Mr. Gregson, the late Member for Lancaster. In his capacity of Member of this House, he performed great services to the public; and he was Chairman, I think for seven years, of that Committee of which the Report has just been brought up and moved to be laid upon the table. His attention to his duties was most unwearying, and those who had occasion to come in contact with him, either personally or by virtue of the duties which he performed, will bear witness to his indefatigable industry, to the firmness and soundness of his judgment, to the conciliatory character of his temper, and to the combination in his person of all those qualities which rendered him a valuable and estimable Member of this House. Sir, I may add that I think the public in general are hardly aware how much the public interest is indebted to the voluntary and unpretending, almost unknown, exertions of Members of this House with regard to the Private business, and with regard also to the Public business of this House. The time and patient attention which are given gratuitously by Members acting upon the Committees of this House reflect the greatest credit on their public spirit—the more so because those exertions and those labours, however arduous they may be, and however much, in many cases, they may press on the health of those who perform them, are, from their very nature, not labours attracting public attention, or giving to those who perform them that reputation which is acquired by distinguished exertions and by public speaking in this House. I think it due to the Members of this House to draw attention to these facts, and there never was a more deserving instance of that merit than may be claimed by the friends of the late Mr. Gregson. I am proud of having enjoyed his personal friendship, and therefore, in addition to regret for his public loss, I feel regret at the loss of a valuable and estimable friend.

CHINA—BRITISH SUBJECTS IN THE CHINESE SERVICE.—QUESTION.

COLONEL SYKES asked the Under Secretary of State for Foreign Affairs, Whether the Order in Council of the 1st March, 1864, has been enforced, and all British subjects withdrawn from the service of the Emperor of China and that of Provincial Mandarins ?

MR. LAYARD reminded the hon. and gallant Member that the Government had no power to withdraw from the service of the Emperor of China any person who might be in that service. Those who were in Her Majesty's service, and who had received permission to serve under the Emperor of China, had had that permission withdrawn ; but as regarded those who were not in Her Majesty's service, if they remained in the service of the Emperor of China, it would be at their own peril.

ABSTRACT OF WRECKS AND CASUALTIES.—QUESTION.

MR. CAVE asked the President of the Board of Trade, When the "Abstract of the Returns of Wrecks and Casualties on the Coasts of the United Kingdom" for the year ending 31st December, 1863, which was laid upon the table last Session, will be delivered to Members ; and whether there is any necessity for the publication of these Returns, being two years in arrear ?

MR. MILNER GIBSON said, the presentation of the Returns had been delayed by pressure upon the Department. The Returns for 1863 were, however, in type, and would be delivered in a few days ; and those for 1864 would be presented by Easter, or very soon after.

PUBLICATION OF IRISH RECORDS.
QUESTION.

COLONEL DUNNE asked the Secretary to the Treasury, If the Government intend to proceed at once with the publication of the Patent and Close Rolls and other Irish Records ; in what form they will be published, and by whom and in what manner they are to be edited; and when the Brehon Laws would be published ?

MR. PEEL said, the preparation of the Index or Calendar, like the English Calendar to the Chancery Rolls, had been placed in the hands of Mr. Morrow, an officer of the Irish Records Department. After some progress had been made in the work, and two or three volumes had been published, in consequence of complaints which were made in that House, and of a pamphlet which had obtained considerable circulation as to the imperfect manner in which the work had been executed, the Government directed the further progress of the work to be suspended, in order that an inquiry might be made into the merits of the publication. The Master of the Rolls in this country, at the request of the Government, appointed Mr. Duffus Hardy and Mr. Brewer to make the inquiry, and the result of their report had been to exculpate Mr. Morrow. Mr. Morrow had, however, expressed to the Master of the Rolls in Ireland his unwillingness to proceed with the work; but he proposed to prepare corrigenda to the volumes already published, and indexes to the names of persons and places. Under these circumstances, the publication of the work had been resumed. It was hoped that the Brehon Laws would be published this year, and an estimate of the expense would be laid before the House.

THE KIRWEE PRIZE MONEY.
QUESTION.

MR. MILLER asked the Secretary of State for India, When the Kirwee prize money is to be issued; and whether the pending decision in the Admiralty Court will be final?

SIR CHARLES WOOD stated, that he apprehended the decision of this question would not in the least degree depend on him, but rather on the Treasury. The matter had been referred to the Admiralty Court, and he could not say when their decision would be come to, or form any idea when the money would be paid.

NEW ZEALAND.—QUESTION.

MR. ARTHUR MILLS inquired of the Colonial Secretary, Whether he has received by the Mails, which arrived yesterday, any Despatches from the Governor of New Zealand with respect to the war; and whether it is true that any proposition has been made to the Colonial Parliament with a view of withdrawing Her Majesty's forces from the Colony?

MR. CARDWELL said, it would be known to those who had read the voluminous papers which had already been presented to the House upon the subject of New Zealand, that at the time when these papers were sent home, the Governor was engaged in a controversy with his advisers upon the subject principally of the disposal of the Queen's troops, and of the terms to be offered to the Natives for their submission and return to their allegiance. At that time the Governor had, on his own authority, in obedience to instructions from home, but without the concurrence of his Ministers, offered terms on which the Natives should be permitted to return to their allegiance. He (Mr. Cardwell) had that day received despatches by the mail from New Zealand, the purport of which was that the Governor had formed a new Ministry upon principles which, he assured him, were in conformity with the instructions he had received from home; that the new Ministry confidently expected to enjoy the confidence of a large majority of the Assembly, and that they had recognized the act of the Governor in offering terms of submission to the Natives, without insisting upon that which the Governor believed to be impossible—namely, the condition of the universal surrender of arms. He further held in his hand certain Resolutions of the Assembly of New Zealand, dated on the 6th of December last, which were to the effect—

> "While the House expresses its deep gratitude for the generous assistance rendered by the mother country to the colony, and while it does not dispute the claim of the Imperial Government to exercise a reasonable control over the policy of the colony, while the colony is receiving the aid of the British troops, it nevertheless is resolved to make every possible effort to place itself in a position of self-defence against internal aggression, with a view to accepting the alternative indicated by the Home Government—namely, the withdrawal of Her Majesty's land forces at the earliest possible period consistent with the maintenance of Imperial interests and the safety of the colony."

He had also heard that the principal Native Chief, William Thompson, had applied to the Governor for an extension of the period during which, according to the Proclamation, it was open to the Natives to return to their allegiance, assigning reasons which were not in their nature unsatisfactory, but the Governor had not had time to consult his responsible advisers as to the reception that ought to be given to the proposal.

MR. ARTHUR MILLS asked, whether the despatches would be laid upon the table at an early period?

MR. CARDWELL said, he was always anxious to have all papers laid on the table as soon as possible, and he would take care to do so on the present occasion.

COURTS OF JUSTICE BUILDING BILL.
[BILL 5.] SECOND READING.

Moved, That the Bill be now read 2°.—(*Mr. Attorney General.*)

MR. F. S. POWELL said, that although recent experience in the conduct of public works in this country had not been of such a character as to induce many hon. Members to take part in that discussion on the subject, he wished to say a few words, partly for the purpose of drawing forth some explanations from the Government, and partly to direct public attention to the question. He hoped they should obtain more explanation than they had already had, with respect to the calculations upon which the estimate of £750,000 for the construction of the courts was arrived at, who the gentlemen were by whom that estimate was framed, and what was the character of the buildings to be constructed for that sum. It was scarcely necessary to remind the House how great was the excess usually found over the first expense when a public building was completely out of hand; and he thought it was much more likely to be so in the present case, when the price of materials had been so greatly enhanced and the wages of workmen had also increased. He trusted the Government would pay due attention to the convenience of the public, and to the recommendation of the Commissioners who had issued the Report of 1860, advising that convenient access should be given, not only to those engaged in the causes, but also to such persons as might come there to learn, or to satisfy a reasonable curiosity and interest. It had been rightly said by the right hon. Gentleman (Mr. Cowper) that time was money, but convenience was time; and if convenience was a matter of importance in the arrangement of a public court, an important subordinate element was ventilation. Those who had been called upon to take part in the administration of the public justice of the country, whether as magistrates, members of the Bar, or jurors, must be aware how poisonous, dangerous, and almost fatal, was the atmosphere in which the business was done. It was not a question of mere comfort whether there should be improved ventilation or not. It was not even a question of health. But it was a matter which had great effect upon the efficiency of the court when the energies of those engaged in the transaction of business were impaired by breathing a vitiated atmosphere. He trusted this would not be considered a premature suggestion. Before a stone of the building was laid, or the plan finally adopted, the question of ventilation must be settled. If they commenced on a good system they would be able to carry it out satisfactorily; but if they commenced on an imperfect system they would not be able afterwards to remedy the defect. He wished to have some explanation as to the mode in which the architect was to be selected. He trusted it was not to be confined to those who had had offices in London, but that gentlemen in the country would also have the advantage of displaying their skill. The experience of the construction of courts of justice in London was small. In Leeds, Liverpool, and Manchester, noble halls of justice had been constructed. Amongst those which had been erected none was so convenient with regard to its arrangements, or afforded so much accommodation, as the Manchester Assize Courts, and he hoped the distinguished architect who constructed those courts would have the opportunity of sending in his plans. In that case the Judges had testified their approbation, and the Bar and the public had joined in the common testimony. Baron Pigott stated, at the opening of those courts, that—

> "There was not in the United Kingdom any place more worthy of the administration of justice than that in which they were assembled, and that in regard to the convenience of the public, the bar, and the bench nothing seemed to be wanting."

In constructing the courts in the neighbourhood of Lincoln's Inn, it might be desirable to bear in mind the noble buildings which had been recently erected there and in the Middle Temple. In removing the courts from Westminster Hall it might not be inconvenient to remember that, seeing it would be necessary to have a Great Hall of entrance by means of which the different courts might be approached, it would be very desirable to adopt such a style of architecture as would reproduce Westminster Hall, not in the grandeur of its proportions, not in historic associations, but in its general artistic arrangements and dispositions, blending the future with the past—the characteristic of the policy of England. In suggesting to the Government this style of building, he believed that one comparatively modest in point of ornament would satisfy the demands of good taste. He hoped they would avoid that penurious parsimony which might be convenient for the moment, but would afterwards produce regret. He hoped they would also avoid a profuse and lavish expenditure, which true art did not invite, and which was the greatest enemy of artistic progress.

Mr. HADFIELD also bore testimony to the beauty and convenience of the Manchester Assize Courts. Unless care was taken that the inside of the new courts was made as convenient as the outside was beautiful, the great objects of the Bill would be lost. Better air, heat, light, and sound, were absolutely indispensable. It was right that the architect who built the Manchester courts should be free to compete, and, if so, he would have a fair chance of coming in for the prize.

Mr. KINNAIRD said, before the hon. and learned Gentleman should reply to the questions which had been put, he wished to know whether his attention had been called to the subject of the site. The site was said to be of no less extent than seven and a-half acres, and it was covered with a dense mass of houses inhabited by the humbler and poorer classes. One of the most perplexing questions of the day was how to provide accommodation for the working classes. They were all aware that one of the difficulties with which they had to deal was that which had arisen from the railway and other public improvements in London, which had caused the removal of large numbers of dwellings, and had raised rents to an incredible degree. Of late years there had been very great difficulty in finding for them even commonly decent dwellings at a moderate rent, and that difficulty was daily and yearly increasing. He would, therefore, inquire of the hon. and learned Gentleman, whether the Government had taken into consideration the great displacing of the working classes which would be caused if the present plan were carried out in the manner proposed, and whether they were preparing any measure which might in some degree remedy the great inconvenience which would be produced by it. The Government ought to set an example in these matters, and where they displaced so large a number of poor tenements they should do something to supply accommodation for those who were thus ejected.

MR. H. BAILLIE was glad the hon. Member for Perth had called the attention of the House to that subject, and trusted, that in Committee, clauses would be introduced for the purpose of constructing model lodging houses for the great mass of the people who might be displaced by the new courts. It was very discreditable to the foresight of the House that no provision of that kind had ever been made in Railway Bills. A very different course was pursued by the Emperor of the French in Paris. Wherever great clearances were made in that city model lodging houses were provided, as a matter of course, for those persons who had been displaced in carrying out improvements. He should be glad to see a similar plan adopted in England.

MR. G. W. BENTINCK said, he could not but think that they were proceeding somewhat hastily on a subject of this great importance. The Bill had been ushered in by petitions from a number of members of the legal profession, on the score of convenience. There could be no doubt that the utmost convenience should be afforded for carrying on the law business of the country; but before the House assented to the second reading of the Bill it ought to have some clear information upon the financial part of the question. The hon. and learned Gentleman, in introducing the measure, had stated what the estimates were, and the sources from which the funds were to be supplied. He understood the hon. and learned Gentleman to intimate that no demand would be made on the public purse for the construction of these buildings.

THE ATTORNEY GENERAL said, the outlay would be only £200,000.

MR. G. W. BENTINCK: The hon. and learned Gentleman said the outlay from the public purse would only be £200,000. There was no instance on record that any public building was ever constructed for the sum estimated. There was no case in which it did not exceed nearly one-half, and for the correctness of that assertion he might refer to the Houses of Parliament. But it was stated the other night by the hon. Member for Evesham (Sir Henry Willoughby), that a certain portion of the funds which had been mentioned as applicable to these buildings was already mortgaged for other purposes. He, therefore, hoped to have some information on that subject. They all heard a great deal about retrenchment and economy, but they saw very little in practice. They were shortly about to discuss the efficiency of our naval armaments, with respect to guns and ships; and, therefore, a more inopportune moment could not be found than the present for asking for the construction of buildings which were not absolutely indispensable, and which would involve large demands on the public purse. He trusted some guarantee would be given, on the part of the Government, that the sum required from the public purse should not be in excess of that which had been stated.

COLONEL SYKES said, it had recently been his misfortune to be summoned as a witness at one of the courts at Westminster, and he fortunately met with the hon. and learned Member for Tiverton (Mr. Denman), who directed him to the Queen's Bench. On arriving there he, with considerable difficulty, *manibus pedibusque*, forced his way in, and again caught the eye of his hon. and learned Friend, who told him that he was in the wrong place, and that he must go to a secondary court somewhere else, but the locality of which he could not describe. By the assistance of one of the ushers of the court he at length found his way, and contrived to get up to the witness-box. After many hours' detention he acquitted himself of the duty which had been imposed upon him, and retired most heartily disgusted with Her Majesty's courts of law. It was not much bigger than a rat-trap, and he thought such rooms were a disgrace to the country, and unworthy of the dignity of the bench. To call them public courts of justice was a mockery of the term, because the public could not get in. As an economist he hoped these little dens would be removed, and that better courts would be constructed on some other and more convenient site.

Mr. WALPOLE: One argument in favour of the measure is undoubtedly the great advantage which will arise from the proper concentration of the courts of law and equity. In addition to this, I can quite believe that, provided proper care be taken to secure other dwellings for such of the working classes as are dislodged, the adoption of the site proposed would confer great benefit on that part of the town. Admitting this to the full, I still feel that there are strong objections to this Bill—objections which at all events ought to be stated. It is possible that these objections may be completely answered, and in that case nobody is more able to answer them than my hon. and learned Friend the Attorney General. I know the Commissioners reported that the site now selected was the best for the purpose of these courts. Perhaps I may be in a minority, but I own that I should have doubted whether this was the best site. Your object is the concentration of the law courts. But, according to your present plan, you will not concentrate the courts. The Courts of Appeal are here at Westminster, and will not be removed. The House of Lords and the Privy Council, the two great courts which control all the other courts, are within a stone's throw of this House. It is to them that you must look for the ultimate decision of the law; and the best counsel will always be taken from other tribunals to argue before them. My own opinion, therefore, would have been that if you improve the courts you have here, and make them harmonize with the magnificent building you have here, adding thereto from the Clock Tower another building reaching all along the side of Bridge Street, and continuing this on the other side of Palace Yard if necessary, you would provide amply for the courts of law and equity. I confess I should have thought that that was the most economical plan, and it would have completely concentrated both the courts of first jurisdiction and those of appeal. That is the first point on which my hon. and learned Friend ought to satisfy the House. The second point is, that nothing would be so uneconomical, and, therefore, so unwise, as to part with good courts if you have any at present. Now, according to all the evidence taken before the Commissioners and the Committee of 1861, it appears that the Rolls Court, the Lords Justices', and the Lord Chancellor's Courts, and the Court of the Vice Chancellor of England are well adapted for the purposes of justice. As regards the courts of equity, therefore, there are four good courts, the two Vice Chancellors alone require additional accommodation. Assuming you are going to build on the site selected, is it wise to provide for four courts, and thereby incur that increased expense, when the old ones are as suitable as can be desired? The third objection is one of a graver kind, and has reference to the financial part of the measure. Substantially, you propose to go to the Suitors Fund for £1,200,000. Now, independently of the question raised as to the sufficiency of the estimate, and assuming that that estimate will not be exceeded, are you really doing what is just and proper with regard to that fund? That fund belongs to the suitors, and has been appropriated from time to time to the most legitimate purpose to which it could be applied—namely, to that of reducing the fees paid by the suitors in the Court of Chancery, and thus the administration of justice has been rendered much cheaper than it would otherwise have been. By taking away this fund, you will diminish the power of that court to still further reduce the fees, and the suitors will not derive that benefit from it to which they are justly entitled. Another point to which I beg to draw your attention is, that by a Return laid before the House it appears that with the exception of between £300 and £400 the fund is absolutely exhausted by the fixed charges. If that be so, I put it to the House whether you are willing to incur the responsibility, or rather the liability, of making good the charges upon the fund out of the revenues of the country to an amount beyond that which the necessity of the case requires. I admit fully that you ought to concentrate the courts where necessity compels, but I deny that you ought to part with any of the existing courts when you can, by retaining them, save the country great expense. I further say that you are not entitled to take this fund from the suitors, to whom it rightfully belongs, till the fees are diminished to the amount to which, under the present regulations, they are entitled. I question very much indeed the policy which would recommend this House, under the plea of obtaining this £1,200,000 from the Court of Chancery, to bind the country to incur the risk of such large liabilities as

I feel confident will fall upon the Consolidated Fund if this measure be adopted. I hope some satisfactory explanation will be given upon these points, but I really cannot at present perceive how the difficulties I have referred to can be overcome.

MR. MALINS said, the right hon. Member who had just sat down had remarked that even if the proposed scheme were adopted there would still be two principal courts of justice which would be at a distance from the rest. In answer to that objection, he must reply that the Court of Privy Council only sat about six weeks in the year, and he saw no reason why it could not be accommodated in the proposed new building. The Privy Council Office had no particular charm, and no one could feel anxious to sit in the cockpit at Whitehall. The Judges who sat there were chiefly the Law Lords, and it would be quite as convenient for them to go to the new courts. The objection on that head, therefore, of his right hon. Friend (Mr. Walpole), fell to the ground. With regard to the House of Lords, he hoped to live to see the day when they would consent to abandon their jurisdiction of appeal, and when instead there would be a great court of final appeal sitting the whole of the year, where and when justice was usually administered, and not at the present inconvenient times and place. But supposing the present system were continued, it was well known that their lordships seldom heard more than one case in a day, and as they were invariably cases of the highest importance they more frequently each required several days. If any hon. Member would go to the Bar of the House of Lords he would find no more than six counsel, and never more than two solicitors, so that the whole number inconvenienced would only be from six to eight of a very limited although eminent class. The right hon. Gentleman's suggestion, on the other hand, of bringing the courts down to Westminster, would oblige every barrister, solicitor, and suitor to be put to the inconvenience of running about London in cabs, wasting time and money in a manner which was discreditable to the country. The right hon. Gentleman totally differed in his opinion of a proper site from what was almost the universal opinion of the profession. He had the pleasure of stating to the House that the Society of Lincoln's Inn, which was supposed to be adverse to the scheme, was now in favour of it. The question was yesterday brought before the Council of the Society of Lincoln's Inn, at which there was a large attendance, consisting of thirty-five most distinguished members of that body, when a motion to present an adverse petition was rejected. He saw there his right hon. Friend, although he was not aware whether or not he voted for the petition. [Mr. WALPOLE: I was not there at all.] The assembly was so unusually large that it would account for his mistake. If the right hon. Gentleman had been there, he would have greatly modified the opinions with which he had just favoured the House. He would have found the almost unanimous opinion of the council against him, and Lincoln's Inn might now be reckoned, not as an opponent, but as a supporter of the scheme. With regard to the Lord Chancellor's and senior Vice Chancellor's Courts, although they were not so bad as the rest, and were fit to sit in, it should be borne in mind that all the courts of equity were totally deficient in the appendages of a court. If the memory of the hon. Member for the University of Cambridge had not become rusty, he must have remembered that the courts at Lincoln's Inn, besides being most indifferent in themselves, were totally deficient in appendages, without which it was scarcely possible to carry on the business of a court. There was no accommodation for the public; there were no places for the witnesses or the officers of the court to remain in; neither was there a decent retiring room for the Judges. He was sorry the hon. Member was not present when the Attorney General introduced the Bill this day last week; as, if he had been, his objections to the financial part of the measure would have been entirely removed. On that occasion the hon. and learned Gentleman went into the details of the question, and made a statement which thoroughly satisfied the House that, although the Suitors' Fund might for the moment be subject to certain charges, it would undoubtedly be sufficient to reimburse the Treasury in the amount which might be advanced for the requirements of the Bill. He felt persuaded that if the Government had come to the House and said they wanted for the purpose contemplated the sum of £50,000 a year, and the country was too poor to give such a sum, the profession to which he had the honour to belong would have been willing that a tax should be put upon the suitors in order to reimburse the country the money it had advanced. He was sure that there would be ample funds to meet every charge and every liability. With respect to the site, he considered that it was the best the world could afford. It was the centre of the legal world, it was the centre between the mercantile world and the West End—it was most conveniently placed for the juries of London and Middlesex, being equally convenient for the merchants of London and the gentlemen of the West End, and it was easy of access from all parts of the metropolis. As to the buildings which would be removed to make way for this improvement, he was sure that every one would be sorry to see them replaced elsewhere. Their removal would confer a great benefit on the public, as it was one of the worst neighbourhoods for squalor and wretchedness left in London. They could not be demolished too early. When the new courts were erected they would have for the first time in the history of this country an opportunity of seeing the administration of justice carried on in a suitable building. The project did the Government great honour, and he hoped they would carry it successfully. This was said to be a moribund Parliament, and so it was; but he could only say that if it carried this measure it might die with honour.

THE ATTORNEY GENERAL: Sir, I think that if my right hon. Friend the Member for the University of Cambridge (Mr. Walpole) had been present when this subject was discussed last Friday evening, he would have found some of the questions which he has asked to-night answered by anticipation. Nevertheless, I am very glad to take the opportunity of answering them again, and also of replying to other objections which have been raised either on that or on the present occasion. With regard to the site, my right hon. Friend is evidently conscious that the impression which he has formed is different from that which is almost universally entertained by other persons who have given their attention to the subject. The reason—independent of the want of space, which I venture to think is quite conclusive — against the idea of concentrating the courts of justice and offices at Westminster is this — that it would be perpetuating one of the most considerable evils which we wish to remedy by concentration—I mean the separation of the administration of justice in the Courts from those parts of the town where barristers have their chambers, in the Temple and Lincoln's Inn, and where solicitors in general have their offices. I am sure that my right hon. Friend will recollect the great inconvenience to which practitioners in equity were subject when those who had to prepare pleadings in their chambers were every Term dragged down to Westminster, and obliged to leave, day after day, business of the greatest importance, in which the interests of large numbers of suitors were concerned. That business was delayed and postponed, and a great and continually increasing expense arose out of each delay and each postponement. If I were to estimate the money value to equity barristers alone of the change which was made when the Courts began to sit always at Lincoln's Inn, I should not err in placing it at a very large annual sum. But what was saved or gained to the barristers is a very slight approximation indeed to the measure of what was saved or gained to the suitors, who are infinitely more concerned in the ultimate result, and who pay for everything at every stage of every cause. As to the Privy Council, I entirely agree with everything that my hon. and learned Friend the Member for Wallingford has said. There is no magic power in Downing Street. The Privy Council might have a Council Chamber in the new Palace of Justice; indeed, I have no doubt it will be provided for there, and all, therefore, that remains is the House of Lords. That tribunal, as my right hon. Friend has said, decides cases of great importance; but the number of cases decided in the House of Lords during a Session is comparatively small, and the persons engaged in each of them are comparatively few in number. To me, personally, it would be very convenient to be near the House of Lords, but the number of counsel whose interests are involved in the matter is not large, and the number of solicitors is proportionately small. I think, therefore, that no practical reason can be urged in favour of retaining the site of the courts at Westminster. Before I entirely leave the question of site, I will make a few observations upon the remarks of my hon. Friend the Member for Perth and some other hon. Gentlemen as to the population which we shall displace by these buildings. Of course, that is a matter not to be left out of sight or forgotten when operations of this kind are undertaken. I believe that my hon. Friend has, in this instance, very greatly over-estimated the number of persons concerned. I cannot tell what the population actually is, but the number of houses that will be destroyed is about 400 ; and, crowded as the population may be, it is impossible that it should approach to anything like the figure which the hon. Gentleman supposes. That population, however, will have to be provided, or to provide itself, with lodgings elsewhere. Now, if we were led by experience to doubt that the industrious members of that population would be able to do so, that would be a very serious check on all undertakings of this description. But experience does not suggest any such doubt. We have had very large and extensive improvements displacing populations of the same character in various parts of the metropolis, and the public has never undertaken to provide them with new habitations. The law of supply and demand — the laws of nature answer the purpose better. The change does not take place without notice, nor in so great a hurry that the persons displaced have not time to look for lodgings or habitations elsewhere. If that is so, and if the results of experience justify us in relying upon their being able to find them, I think we can all look with satisfaction at the change which is now contemplated, because it would be impossible to conceive a considerable population collected together in any part of the metropolis under circumstances more disadvantageous, either to their physical or to their moral health, than those of the population which will be displaced by these buildings. Everybody who knows the district must lament that any part of the industrious people of this country should be crammed together in such a space with so many temptations to immorality surrounding them on all sides. I suppose that the process which goes on when improvements of this kind are made is this :—Those whose occupations require that they should live in that particular part of the town find lodgings in some immediately adjoining neighbourhood ; while others, to whom the locality of their dwellings is of less importance, move further off, and thus by degrees a greater number get into those more healthy regions, the suburbs and remoter parts of the metropolis, and have the benefit of purer air, freer space, and better houses. Therefore, I do not think that we have reason to look with alarm or dissatisfaction upon the probable result of this Bill in respect to the displacement of the population in the districts proposed to be appropriated. I now address myself to the second remark made by my right hon. Friend, who said that nothing could be so uneconomical as when you had got good courts or buildings to part with them and spend money in building others. I doubt a little, upon the question of economy, whether perpetually patching up does not in the end cost more than having a good article at once ; but I further differ with my right hon. Friend upon the question of fact. I cannot agree with him that any one of the courts which he has named is as good as it ought to be. The hon. Member for Wallingford has justly said that even the best of them is entirely devoid of all those accessories which are needed to make a good court. There is no consultation room for counsel connected with any of the courts mentioned, except the Rolls' Court. The Rolls' Court, I agree, is much the best—so much the best that by comparison it really approaches to a good court ; but, even there, there is not the accommodation which there ought to be for jury trials. And really, as to the others, I should be ashamed of any new Palace of Justice which did not provide infinitely better accommodation than they afford, to say nothing of the fact of the nation being tenant at will, or on terms something like that, to a private society—the Society of Lincoln's Inn—a state of things which I cannot say I think is one in which the administration of justice ought to be left. I think my right hon. Friend said, that upon the inquiry of 1860 and 1861 everybody was satisfied with these courts. If he will look again at the language of the Commissioners of 1860 and see how they "damn with faint praise," saying that in these courts, as compared with the others, the Judges are accommodated with some regard to decency, and some reasonable degree of convenience, I think he will see that they by no means represent even these courts as being such as the nation ought to be satisfied with. I now come to the question of finance, and I will first answer the inquiry made by my hon. Friend the Member for the borough of Cambridge (Mr. F. S. Powell). My hon. Friend asked for information as to the grounds upon which we had adopted the estimate of £750,000, as one which may reasonably be relied on by the House as to the cost of these buildings. I will tell him, and I think they are as good grounds as can reasonably be desired. The estimate of Sir Charles Barry, and the estimate of Mr. Abraham, who, in 1861, prepared a detailed plan of the buildings, were both considerably under £750,000.

In 1861, the Lords of the Treasury thought it their duty to lay a Minute upon the table of this House, stating that, without having gone into the matter, they were led to distrust the estimates of the probable cost of these buildings which had up to that time been presented. They stated from conjecture that there might very likely be an excess of the estimate by as much as £500,000. That was an alarming —calculation, I cannot call it, for there was no calculation — but an alarming conjecture, which appeared only as a conjecture at that time. But that having been done, the Treasury, before they saw fit to sanction the present proposal, desired the officers of the Board of Works to take the necessary steps to enable them to form their own opinion upon the subject. Accordingly, the site was valued, house by house, this year, by Mr. Pennethorne, of the Board of Works, at a total sum little exceeding £700,000; and last year Mr. Hunt, the surveyor and adviser on such matters of the same Board, went carefully into the matter, and the result was that he was then satisfied that the estimate of £750,000 for the cost of the building was one that might be relied on. Therefore, every possible care has been taken to form a satisfactory opinion upon that subject. Of course, every one is aware that when you begin to build you may, if you choose, exceed any estimate which can, under any circumstances, be made; but I believe that the Treasury are fully determined, as far as in them lies, to watch narrowly over the execution of these works, and to take all proper measures to check the expense, and to prevent any extravagant expenditure upon mere ornament or decoration, as distinguished from actually useful work, without which there is reason to believe that there will be no danger of the estimate being exceeded. Now, with regard to the question of the funds which it is proposed to use for this purpose in repayment of the public advances. My right hon. Friend has not thoroughly understood the proposal which is made by the Government. I think that he has hardly studied the Bill which has been laid upon the table, for he imagines that we propose to provide these funds in a way different from that which is really suggested by the measure. The "suitors' fund" is not an expression which it is convenient to use, unless we desire that misunderstanding should arise. The funds, which alone it is proposed to use, are "the surplus interest" and "the surplus fee" funds. "Surplus interest" is not quite a correct expression, because the fund arises from surplus dividends on stock, and their accumulation. These surplus dividends and surplus fees are the result of the management of the funds in the Court of Chancery by the State, under Acts of Parliament. They represent the aggregate profit of the past management of the court; the other funds which remain being so completely adequate to answer all the demands of the suitors that, down to this day, no sale of any part of them has ever been required to meet orders for payment of money out of court. It has never been necessary for the purpose of paying what was due to any suitor to touch any portion of that fund in which the suitor's cash has actually been invested. In point of fact, ever since that fund was called into existence in the middle of last century, only seven times has it been necessary for any purpose to sell any portion of it, and then not to meet a deficiency in the cash standing at the bank to pay what was due to the suitors, but merely to keep the bank in such an amount of cash as was thought proper for their reasonable remuneration. So far, therefore, as the guarantee of the suitors' funds by the State is concerned I think it may be treated as merely nominal. Then comes the question of the charges upon the income of these funds which I say represent savings arising from the management of the funds of suitors by the court. These funds in the aggregate amount to £1,500,000, and we propose to take from them only £1,000,000 stock—which will produce £900,000—leaving £500,000 stock. That sum of £500,000 will provide, without having recourse to the public purse, for all the existing annual charges or compensations on the fund which we withdraw. These annual charges to the amount of £50,000, exceeding therefore the whole income of the £1,500,000, consist of compensations or terminable annuities, which fall in at the rate of £3,500 per annum, and which, according to past experience, may be assumed to expire to an extent sufficient, at all events, to equalize the income and the expenditure, in about eighteen years from the present time if not redeemed. By the Bill we propose to give the Lord Chancellor power to redeem and buy up any of those compensations which the owners may desire to have commuted into a capital sum; but, supposing that that power should not be called into action, and supposing all the charges, up to £45,000 per annum, the total income of the £1,500,000 stock, to continue annual charges, they will naturally come to an end, according to calculations founded on experience, in eighteen years. Out of the £500,000 which we do not use for the direct purposes of the building, we shall pay annually the amount of charges which would otherwise have been met by the income of the £1,000,000 we withdraw, which would produce in the Three per Cents £30,000 a year. There is a deficiency then, at the outset, of £30,000 a year, to meet some of the annual charges on the fund, which will increase in each year, until balanced by the falling in of compensations, by the withdrawal of part of the remaining principal fund; and we take the deficiency from year to year out of the £500,000 we reserve. According to a calculation of Mr. Finlaison, £380,000 will probably provide for all these terminable annuities, but we take the sum for safety at £500,000, and we have not only got stock to the amount of £500,000, but also a further sum of £100,000 cash, being the accumulated surplus of fees which remains uninvested. The Treasury, therefore, are perfectly satisfied that the half million of stock, and the accumulated surplus cash of the Suitors' Fee Fund, supply a reserve amply sufficient to meet the whole of these compensations as they fall in. If it should turn out that no part of these terminable compensations should be redeemed or bought up by the State, but that the whole should annually be paid out of the £500,000, till they are reduced to £5,000 a year, the result will be that at the end of eighteen years about £150,000 stock will remain out of the £500,000 stock, as a clear surplus available for the reduction of suitors' fees. Under these circumstances, there can be no doubt that the State takes on itself no charge except £200,000, for which there is an equivalent in the sites which will remain, and in the saving of rents now paid by the Government for other offices and buildings. My right hon. Friend appears to think that the fund now proposed to be taken as a building fund is in some sense a fund belonging to the suitors, and that its only legitimate appropriation would be to reduce the fees of suitors. I hoped that what I said on a former occasion, would have been satisfactory on that subject. The phrase "belonging to the suitors," when so used, has no meaning to my mind. If it means belonging to a particular suitor, or to particular suitors, then I could understand it, for it would involve spoliation; but it is clear that there is not a human being in existence, and never was a human being in existence, who could pretend to have any legal or moral right to one shilling of this money. Therefore the question is, whether money which belongs to no one does not belong to the State. If so, has the State made any appropriation of it which it cannot revoke? On former occasions the State has made appropriations of it towards building courts of justice, paying salaries, and keeping up the establishment of the courts; and we now propose to apply the money to a use exactly similar in principle, but in my opinion more important. With respect to the particular question, whether it would be better for the suitors to have the fees now paid in Chancery reduced out of this fund, or to see vexatious delays and expenses in the administration of justice got rid of, I may observe that the fees only amount to 8 per cent of the cost of litigation, while the utmost extent to which the whole income of this fund would reduce them is less than half that amount; and all solicitors throughout the country agree that the suitors will gain a far greater amount in mere money, by the benefits which will arise from the concentration of the courts. My right hon. and learned Friend the Member for Cambridge University, the other evening said that the Report made last year by the Commission appointed to inquire into the Chancery Funds was at variance with this scheme; but, upon that point, I must correct my right hon. and learned Friend, and to state that Mr. Field, Mr. Rogers, and Mr. Cookson, who signed that Report, are among the most active and earnest promoters of this measure for the concentration of the courts of law and equity. They thought that their proposition of allowing 2 per cent interest to the suitors on their cash balances would, by causing a great increase in the amount of cash left in court uninvested, augment instead of diminishing the income of the court applicable to the payment of the annuities and compensations. I ask the House not to allow themselves to be led astray by any extraneous argument, but to give a fair and candid consideration to the scheme, which I feel confident will not involve any charge upon the State beyond that which has been avowed.

Sir FRANCIS GOLDSMID said, that though the Attorney General believed that the effect of the Government scheme would be to enable the poor who now occupied tenements on the proposed site to find better houses elsewhere, the House might judge of its probable result from what had taken place in the east of London, where the introduction of railways had led to the removal of many houses. He was informed by those who were acquainted with the subject, that wretched and crowded as were the dwellings which were swept away for the improvements effected at the east end of London, their occupants had been driven into other dwellings still more wretched and more crowded. Therefore, he thought the House should not adopt this change without providing a remedy for those who might be injuriously affected by it.

Motion *agreed to.*

Bill read 2°, and *committed* for *Thursday* next.

COURT OF CHANCERY (IRELAND) (No. 2) BILL—[Bill 25.]

Mr. WHITESIDE said, that in moving for leave to introduce a Bill relating to the constitution, practice, and procedure of the Court of Chancery in Ireland, he begged leave to refer to the fact that a Bill on the same subject had been brought in a few nights before by the Attorney General. Not satisfied with the management of the business of England, that hon. and learned Gentleman had kindly undertaken to transact the business of Ireland likewise. The Bill brought in the other evening was nearly a transcript of the measure introduced last Session by the then Attorney Genaral for Ireland, but which was not acceptable to the House—and, in fact, utterly failed. Notwithstanding this, the hon. and learned Attorney General had brought in the Bill without altering it materially, and seemed determined to carry it through. Having himself opposed that Bill, he had felt that it was incumbent upon him not to content himself with the easy task of objecting to the proposals of others, but to examine the whole subject, and to prepare a Bill which he believed would be acceptable, and he had adopted whatever he might find to be useful either in the recommendations of the Commissioners or in the measure of which the Attorney General had somewhat inconsiderately taken charge. His first objection to the scheme before the House was, that in a Bill of 194 clauses he had jumbled together two things which ought to have been kept distinct—namely, the provisions relating to patronage and financial considerations, which might give rise to much difference of opinion, and the provisions relating to practice and procedure, about which there ought to be no dispute, as far at least as the desirability of having a tribunal at once cheap, speedy, economical, and satisfactory in its working was concerned. For this he did not blame the English Attorney General, who, he believed, had not bestowed a thought on the subject; but those who had framed the Bill had designedly abandoned the precedent of the English Chancery Reform, where the clauses dealing with the Master's offices and reconstituting the court were thrown into one Bill, while the clauses affecting practice and procedure were comprised in a separate measure. That was the clear and natural division of the subject, and it ought to have been followed in the present case. He proposed to follow it himself; and accordingly the first part of the Bill which he asked leave to bring in sought to amend the constitution of the Irish Court of Chancery and to reduce the number of Jndges in the Irish Landed Estates Court; and the other part dealt with practice and procedure. The object of the first part of the Bill introduced by the Government was to pay off for the rest of their lives four existing officers, who were practically Vice Chancellors, and then appoint in their stead one new Vice Chancellor, to be speedily followed by a second, with a new set of Chief Clerks and other officials. That, he thought, was a highly inconvenient course, and contrary to anything like economy or the real objects of the Commission. The Commission was appointed with a view to an improvement of the administration of the law, and they reported that there should be one Vice Chancellor to transact the whole business of Ireland, which was now transacted by four Masters in Chancery. But the Bill of the Government was founded on a fallacy, because it was represented that the same abuses existed in the Masters' offices in Ireland as had prevailed in the Masters' offices in England, whereas that was not the fact; and in 1850 Sir

John Romilly carried through Parliament an Act giving original jurisdictiction in many cases to the Irish Masters in Chancery. Therefore, the Bill of the Government was not intended to deal with the old Masters and with the abuses of their offices, but to strip these four gentlemen of all judicial functions, pension them off, and then appoint a new Vice Chancellor. Since, therefore, they were determined to have the title of Vice Chancellor—though no suitor in Ireland cared a straw about the title of the Judge, and only wanted to get out of his court as quickly as possible —he said, let it be so. He had, therefore, adopted a number of clauses from the English Bill, for the purpose of abolishing all those Ministerial duties which now belonged to the Masters in Chancery, and appointing a Vice Chancellor. Then, with the four Masters and the three Judges of the Landed Estates Court, he said it was not just to the public to add to the number; and, therefore, he proposed that the office of Vice Chancellor should be offered in succession to the Judges of the Landed Estates Court, and if any one of them accepted the post, then that that court should consist of two Judges, and not three. The Bill constructing the Landed Estates Court was introduced by Lord Derby's Government, who felt that it would be impossible to find work in it for three Judges, and proposed that it should be composed of two. However, it was then insisted upon, he thought, by Lord John Russell, that there should be three, and as the Whigs were determined on the point, the larger number had to be inserted in Committee. There had naturally been a great falling off in the business of that tribunal. The sales which took place under it in the four years from 1851 to 1854 involved £11,500,000 worth of property; whereas, in the last four years the value of the sales was £5,610,000. The sittings of the Judges were now greatly reduced — last week the Judges of the Court sat only two days, and on those days they rose at one o'clock—and it could hardly be contended that it was necessary to retain three Judges in that Court. The actual sales, as he had shown, had diminished by one-half, and the litigated business had diminished by three-fourths, If, under those circumstances, the Government were of opinion that the time had arrived to economize, his Bill would be found to be of use to them in carrying out that object. He agreed with the Master of the Rolls that, unless they watched the system of Chief Clerks closely, they would have the vices of the old system revived. He had omitted in it all reference to the office of Chief Clerk, and had provided that the Examiner of the Landed Estates Court should be the officer of the Judge. He had created no new place, and he could assure the House that the gentleman to whom he alluded would be better qualified to discharge the duties which would devolve upon him than any Chief Clerk was likely to be. If they took the Judge and his staff they would save the Treasury £5,000 a year. Having said thus much with regard to the first Bill which he proposed to introduce, he should next advert briefly to the second part of this measure, which was for the amendment of the practice and course of procedure in the High Court of Chancery. There were some things in which he agreed with, and some in which he differed from the hon. and learned Attorney General. The first point in which he differed was the verification of a bill or petition by oath, in favour of which provision the evidence was very strong, and with respect to which, in a pamphlet entitled *Law Reform*, written by the present Master of the Rolls—and which he should recommend to the consideration of his hon. and learned Friend the Attorney General—that distinguished Judge said, "I never could understand on what ground you make the defendant answer on oath, while you do not pledge the plaintiff to the truth of his bill." The importance of such a course of proceeding in a poor country was that it put a stop to what were called "fishing bills." It obtained, he might add, in New York, where the books of law were as good as those which were written in this country, and he therefore saw no good reason why the plaintiff should not be called upon to pledge his oath to the truth of his story. But that was not all. It was the key-stone of their system, that all statements not controverted were taken as proved. He would, in the next place, ask on what principle it was sought to re-introduce interrogatories. In England in 1863 interrogatories were filed in 1,556 cases, while in Ireland during the same time they were filed only in two. The Master of the Rolls was directly opposed to them, and he could not understand why they should be restored in defiance of the opinions of the heads of the courts in Ireland. He trusted his hon. and learned Friend would not press that upon them. He would also ask the Attorney General not to press demurrers upon Ireland, which the Master of the Rolls pronounced to have three objectionable properties :—first, they delayed the suit ; secondly, they wearied out the plaintiff by unnecessary expense ; and thirdly, they took the money from the pocket of the plaintiff, and put it into the pocket of the solicitor of the defendant. While they had been employed in England in sixty-nine cases they were had recourse to in Ireland, during the same period, not in a single instance, and were not, therefore, required in that country. The next point he had to mention was the examination of witnesses on paper before the Examiner. There were two Examiners in Ireland appointed by the Master of the Rolls, of whom one died some time ago, and he never would appoint an Examiner in his place. He was of opinion that it was productive of the greatest abuse to send a man to be examined before a person who possessed little or no authority, and who wrote down all the rubbish which might fall from the lips of a witness, instead of allowing him to say what he had to say *vivâ voce* in court, The Bill, consisting of two parts, he should now tender to the Attorney General, who he doubted not would acquaint himself with its contents and give him the benefit of his opinion. Having resisted the measure which was proposed last Session, he had thought it his duty to look into the matter during the vacation, and to prepare something deserving consideration at the hands of the House.

Moved, That leave be given to bring in a Bill to alter the Constitution and amend the Practice and Course of Proceeding in the High Court of Chancery in Ireland.—(*Mr. Whiteside.*)

The ATTORNEY GENERAL said, he did not intend to offer any opposition to the Motion, but merely wished to guard himself against the supposition that he favoured the proposal. Much of what had been said by the right hon. Gentleman really had reference to points of detail, and he failed to collect from his statement why he had thought it necessary to divide the measure into two parts. The first sought to introduce a principle which was certainly rather unusual, and he doubted whether it would be for the public advantage to set the example of naming in Acts of Parliament the persons who were to be appointed to particular posts about to be created, instead of leaving the appointments to the Crown, acting under the guidance of its responsible advisers. He did not think it advisable that these appointments should be made in the House of Commons, because nothing could be more invidious than to invite personal discussions as to the fitness of individuals for particular offices, especially if they already filled eminent positions from which it was proposed to remove them to the offices about to be created. At the present stage, however, it was not necessary to enter into this matter fully. He accepted with very great satisfaction the evidence which the right hon. Gentleman had now given of his disposition to approach the consideration of the subject in a spirit of fairness, and he hoped he might even look for assistance at his hands in endeavouring to work out reforms in the Irish Court of Chancery, which all parties agreed were to some extent necessary. He believed this end could best be attained by removing everything that might be objectionable from the Bill of the Government rather than by providing a separate measure. But, as he had said already, he reserved to himself the right of considering or dealing with the measure at a future stage.

Bill to alter the Constitution and amend the Practice and Course of Proceeding in the High Court of Chancery in Ireland, *ordered* to be brought in by Mr. WHITESIDE and Mr. GEORGE.

Bill *presented,* and read 1° [Bill 25.]

BRITISH KAFFRARIA ANNEXATION BILL—[BILL 27.]

LEAVE. FIRST READING.

MR. CARDWELL : I rise, Sir, to ask for leave to bring in a Bill to annex to the colony of the Cape of Good Hope a small British territory, which, though technically and legally a colony, is practically and in fact a portion of the Cape Colony. The papers which have been laid on the table will show to those who have taken the pains to read them the reasons which induce me to make this proposal on the part of the Government, and the reasons which have rendered it necessary to deal with the question now, and they will relieve me from the necessity of troubling the House with any long statement on the subject. Previously to 1847, the Great Fish River was the north-eastern frontier of the Cape Colony; but when Sir Harry Smith was Governor at the Cape, and there were troubles with the Kaffirs on that frontier, he thought it expedient for the safety of the colony to annex that portion of the country which lies between the Great Fish River and the Keiskamma, and a Proclamation to that effect was accordingly issued. In the year 1848 he also annexed to the colony the port of East London, which is the port as well as the source of the Customs' revenue for British Kaffraria. The rest, up to the River Kei, remained a military outpost of the colony, and the revenues went into the treasury of the Cape Colony, and the expenses were defrayed partly, if not entirely, from the revenues of the Cape. Therefore, from that time, that part of British Kaffraria remained entirely and solely a dependency of the colony. At the close of Sir George Cathcart's war, in 1852, the Kei still remained the north-eastern boundary of the colony; but in 1858 there had been disturbances with Kreli, the paramount Chief of the Kaffirs, who was driven beyond the frontier river and across the Bashee, so that the territory between the Kei and the Bashee rivers remained unoccupied territory under British dominion. In 1860 letters patent were issued constituting the territory between the Keiskamma and the Kei a separate British Crown colony, of a character so peculiar that it had no Legislature—the Governor combined in his own person all the executive and all the legislative power. At that time it was intended to annex to this colony—that is to say—to British Kaffraria the district between the Kei and the Bashee. But the House will remember that in the autumn of last year there was a sudden alarm that Kreli was assembling his forces, and was likely to cross the Bashee into British territory, and therefore that we might not improbably be engaged in another of those troublesome, inconvenient, and costly events which formerly were familiar to us under the name of Kaffir wars. Happily for the colony, that alarm was unfounded, but it rendered it the duty of the Government carefully to consider what was the value to Great Britain of this territory between the Kei and the Bashee; whether it constituted, in fact, a source of support or a source of danger, and whether there was any point of British policy or of British interest rendering it worth while to annex this frontier territory to the possessions of the Crown. Those who have read those papers must feel that the first suggestion made to us emanated from a person entitled to great respect—the chief of the police—and this was that Kreli should be driven back beyond a further river, the Umtata; and so we might have gone on from point to point until the whole of the territory in question was absorbed within the British dominions. The Governor, Sir Philip E. Wodehouse, and the Commander of the Forces justly disapproved this proposal, and determined that it was not desirable to extend the frontier, as proposed by the chief of the police—and the Commander of the Forces said that the military force, maintained at considerable expense in that colony, would not be adequate for the maintenance of so extended a frontier as that of the Bashee. In that view Her Majesty's Government entirely concurred. We said our desire was to maintain the frontier which would be most likely not to lead to hostilities, and would be most easily defended should hostilities arise. We believed the Kei to be that frontier, and we have, therefore, given instructions for the abandonment of the country beyond it. We further desired, if possible, to find a location for Kreli, and the followers we had driven to a territory in which it was impossible for him to remain, in consequence of the proceedings of other tribes; because it was clear that if any restlessness arose on his part that was rather to be attributed to the position in which we had placed him than to any other circumstance. This despatch had been anticipated by the Governor, who replied that he had already settled the Chief on a territory and made him a small allowance to secure his attachment to British rule, which he had gratefully accepted, and that the Chief and his people were quietly taking up their abodes on that territory. There, therefore, remained only the very small territory of British Kaffraria—a territory too small to constitute itself a British colony, too small to provide materials for a Government. It remains for you to consider what you will do with this territory, and the measure which I ask leave to introduce is one to unite it to Cape Colony. There are other reasons why the present opportunity should not be let pass by. The Governor has just closed the first Parliament held at Grahams Town, under circumstances which give very satisfactory promise for that experiment; the Parliament of Cape Colony has determined to have a census with a view to the revision of their representative system, and the Governor is of opinion that after this change has been effected it may be more difficult to accomplish the annexation than it will be if we attempt it now. It is true that the measure has not the concurrence—the formal and official concurrence—of Cape Colony. I cannot say that it has that concurrence. On the contrary, I must admit that if we took no steps to carry out the measures until Cape Colony took it in hand, it is not likely it would be accomplished. It is necessary for the voice of the British Parliament to carry it into effect. One reason why Cape Colony is not likely to take the initiative is this — that Cape Colony knows Her Majesty's Government could not leave a small colony like British Kaffraria to its own forces in the event of defence being necessary; and the Cape Colony cannot be invaded without the enemy passing through British Kaffraria; and it is too much to expect that a Colonial Parliament should not take advantage of such a state of circumstances. I propose to introduce a Bill which will leave it to Cape Colony to make such arrangements as it thinks fit, in conference with the Governor of British Kaffraria, who is both an executive officer and a legislature, as to the terms on which this union shall take place; but I propose that, at all events, with the sanction and by the authority of the British Parliament, a union shall take place, and that the dominions of the Queen within the boundaries of the Keiskamma and the Kei shall form one territory with the Cape Colony. This will be of great advantage to British Kaffraria, to Cape Colony, and to Great Britain; and I would observe that, though the Parliament of Cape Colony has not in the aggregate agreed to the Bill, the Legislative Council of that colony has expressed its opinion that the proposed annexation is expedient. In that opinion the Governor coincides, Her Majesty's Government coincides, and I think the House will coincide. A Committee of great weight sat in this House in 1861, and revised the military expenditure of this country in our several colonial dependencies. That Committee agreed to a recommendation that those dependencies should in future depend more upon self-reliance and less upon large forces maintained at the expense of the Imperial Treasury. My desire is to give just effect to the opinions of that Committee, and therefore I am anxious that a small territory, taken originally as a dependency of Cape Colony and for the purpose of defending it, should not be treated as a separate colony. Clearly it is better, in the interest of British Kaffraria, in the interest of Cape Colony, and in the interest of Great Britain, that this small dependency, which is unable to provide for its own military defence, should be annexed to the colony for whose defence it was thought advisable to occupy it in the first instance. With this short explanation I hope the House will see that the Bill is one which it is advisable to have introduced. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

Motion *agreed to.*

Bill for the Incorporation of the Territories of British Kaffraria with the Colony of the Cape of Good Hope, *ordered* to be brought in by Mr. Secretary CARDWELL and Mr. CHICHESTER FORTESCUE.

Bill *presented,* and read 1° [Bill 27].

JURIES IN CRIMINAL CASES BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to declare and amend the Law in relation to the keeping together and discharge of Juries in Criminal Cases, *ordered* to be brought in by Sir COLMAN O'LOGHLEN and Mr. LONGFIELD.

Bill *presented,* and read 1° [Bill 26].

House adjourned at a quarter before Eight o'clock.

HOUSE OF LORDS,

Friday, February 17, 1865.

MINUTES.] — SELECT COMMITTEE — *Report*— Office of the Clerk of the Parliaments and Office of Gentleman Usher of the Black Rod.

EDUCATION—REVISED CODE OF REGULATIONS.

PRESENTED.

EARL GRANVILLE in *presenting* (by Command)

"Revised Code of Regulations incorporating the Minutes of 11th of March, 1864 and 8th February, 1865, with a Schedule of all Articles cancelled or modified, and of all new Articles, by the Lords of the Committee of the Privy Council on Education,"

said: My Lords, these Minutes contain certain alterations which are of a character to make more clear that which before was obscure; and there are also two additional Minutes which have not yet been laid before Parliament. They will be printed without delay, and circulated among your Lordships. One of them relates to the difficulty of dealing with the smaller class of schools. A lady, who has distinguished herself for her wide-spread benevolence, proposed a scheme some short time ago to the Council Office, which has been very carefully considered, and we propose now to lay on the table of the House a Minute relating to the subject, which will come into action in a month. With regard to the smaller schools, not less than two, and not more than six, will be at liberty to unite themselves, and will be admitted to all the advantages to be obtained from the appointment of a certificated master, visiting from one school to another for a certain number of hours in each, according to the number of scholars. If that experiment be carried out, I believe it will be of great advantage to the poorer schools in the less populous districts, where it is very necessary that economy as well as efficiency should be studied. The other Minute is one which is intended to meet a complaint that has been made with regard to evening schools. There is no doubt whatever of the importance of these evening schools, and one of the great difficulties complained of by the managers of these schools is as to the examinations. These examinations are now carried on by the Inspector, at the same time that he visits the morning schools; but when an Inspector has been engaged the entire day in the duty of examining a morning school, it is unreasonable to expect that he should be able to examine an evening school afterwards. The rule, therefore, has been to examine both the schools at the same time. One-half of the evening schools also are examined during the summer months, when the attendance is limited. It is proposed that the reading of the evening schools shall be tested by the managers only. The other branches of education will be tested by sending down papers to the school. The reading will be judged of only by the managers of the school; but the answers in writing to the papers will be sent up to the office to be examined by the Inspector:—and I may observe that the Inspector, if he chooses, and finds it convenient to do so, may attend those examinations. My Lords, I sincerely believe that both these measures are right in principle, and will be productive of a considerable amount of practical good.

THE READING CLERK AND CLERK OF OUT-DOOR COMMITTEES.

The Lord Chancellor acquainted the House, That, by virtue of the Power granted to him as Lord Chancellor by the Statute 5th Geo. IV. Cap. 82, Sect. 4, he had appointed the Honourable Slingsby Bethell to be their Lordships Reading Clerk and Clerk of Out-door Committees in the Room of Leonard Edmunds, Esquire, resigned.

Then it was *moved*, That this House do approve of the Appointment of the Honourable Slingsby Bethell as their Lordships Reading Clerk and Clerk of Out-door Committees in the Room of Leonard Edmunds, Esquire, resigned.

On Question, *Resolved* in the *Affirmative.*

House adjourned at a quarter past
Five o'clock, to Monday next,
Eleven o'clock.

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HOUSE OF COMMONS,

Friday, February 17, 1865.

MINUTES.]—SELECT COMMITTEE—On Mortgage Debentures, &c. *nominated.*

PUBLIC BILLS—*Resolutions in Committee*—Pilotage Order Confirmation.

Ordered— Pilotage Order Confirmation;* Civil Bill Courts Procedure (Ireland) Act (1864) Amendment.*

First Reading — Pilotage Order Confirmation [28];* Civil Bill Courts Procedure (Ireland) Act (1864) Amendment [29].*

Second Reading—Game Licences (Ireland) [16];* Dublin International Exhibition (1865) [17].*

THE BRITISH EMBASSY AT WASHINGTON.—QUESTION.

MR. WATKIN said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether Mr. Burnley Hume is still in charge of the Embassy at Washington; and, if so, when Her Majesty's Ambassador, Lord Lyons, may be expected to resume his duties?

MR. LAYARD: Sir, I should very much regret if the Question of my hon. Friend inferred any reflection upon Lord Lyons for not being at his post; but I rejoice at this opportunity of bearing my testimony to the singular zeal, tact, discretion, and ability with which Lord Lyons has carried on the business of this country at Washington during a most critical and important period. Of the many thousand cases with which Lord Lyons has had to deal in no one single instance has he not received the entire approval of Her Majesty's Government; and it may, perhaps, interest the House to hear the amount of business that has been transacted during the last three or four years by the Washington Embassy. The correspondence of one year fills sixty large folio volumes. In less than three years there were 13,948 entries in our registries. Those were of single despatches. Nearly all of them contained inclosures, and one despatch contained no less than 203 inclosures. It took the gentleman who drew up the list of British claims last year no less than six weeks to prepare it. I think that, looking at this enormous amount of labour, it is not surprising that the health of Lord Lyons should have broken down. He is now in this country on leave of absence, and I am quite sure that the House would not think it right or proper for Her Majesty's Government to press him for a decision as to whether he should return to his post at Washington or not. Mr. Burnley Hume is conducting the business of the Embassy at Washington with the entire approval of Her Majesty's Government.

UNION MEDICAL OFFICERS (IRELAND.) QUESTION.

Mr. BAGWELL said, he wished to ask the Secretary to the Treasury, Whether Her Majesty's Government propose to adopt the Resolution of the Select Committee of 1858, and place the Medical Officers of Irish Unions on the same footing as similar Officers in England and Scotland, one-half of whose salaries are paid from the Public Revenue?

Mr. PEEL said, he must remind the hon. Member that there were many matters of payment in which the two countries were not assimilated. He had no doubt that Ireland ought to obtain the same relief from local charges as the other portions of the United Kingdom; but, on looking at a particular charge of this nature, they must remember that Ireland possessed advantages in regard to other local charges. For example, the Constabulary, of whom in England the Government defrayed only one-fourth of the charge, whilst in Ireland the whole charge fell on the Consolidated Fund. Besides, there was a special grant of £20,000 for Irish Hospitals and County Infirmaries. He thought it could hardly have been the intention of the Committee that the charges alluded to by his hon. Friend should be defrayed out of a Parliamentary Grant; but, at the same time, he saw no reason why, if one-half the expenses of Medical Officers was paid in this country, the same arrangement should not hold good in Ireland.

Mr. Layard

ARMY—ARMSTRONG AND WHITWORTH GUNS.—QUESTION.

Sir JOHN HAY said, he wished to ask the Under Secretary of State for War, To lay the Report of the Armstrong and Whitworth Committee upon the table of the House?

The Marquess of HARTINGTON said, in reply, that the Report of the Armstrong and Whitworth Committee had not yet been received; but when the Committee had completed their labours there would be no objection to lay the Report on the table of the House.

THE RIOTS AT BELFAST.

QUESTION.

Mr. O'REILLY said, he rose to ask the hon. Member for Belfast, Whether he will proceed with his Motion relative to the late disturbances in Belfast before the Report of the Commission appointed to inquire into the subject, which the Chief Secretary for Ireland has stated will be laid upon the table of the House in a very few days, is in the hands of Members?

Sir HUGH CAIRNS said, in answer to the Question of the hon. Member for Longford County, he had to say that the Notice that stood in the paper in his name was a Notice to call attention to the character of the Commission, and the expediency of issuing it, and did not refer to the nature of the Commission or the evidence to be taken before it. He did not therefore, think anything would be gained by a postponement of his Motion.

INDUSTRIAL EXHIBITIONS — PROTECTION OF INVENTIONS.—QUESTION.

Mr. H. BERKELEY said, he wished to ask the President of the Board of Trade, If Her Majesty's Government have any intention to bring in a Bill for the better protection of the industrial classes against piracy of their works of art at public exhibitions?

Mr. MILNER GIBSON said, in reply, that his hon. and learned Friend the Attorney General was preparing a Bill for the better protection of the industrial classes against piracy of their works of art at public exhibitions.

COMMITTEE OF PUBLIC ACCOUNTS.

QUESTION.

Lord ROBERT MONTAGU said, he would beg to ask Mr. Chancellor of the

Exchequer, Why the Committee of Public Accounts is not appointed at the same time as the other Standing Committees; and when that for the present Session will be nominated, and will proceed to business?

The CHANCELLOR of the EXCHEQUER said, in reply, that the accounts were not yet presented with which the Committee had to deal. At the same time, no inconvenience could arise from its appointment, and he would that evening give notice of its nomination.

MALT FOR CATTLE.—QUESTION.

Mr. FENWICK said, he wished to ask the Vice President of the Board of Trade, Whether it is intended to print a Report of the experiments recently made by direction of the Board of Trade on the relative merits of Malt and Barley for feeding Cattle; and, if so, when we may expect it to be in the hands of Members?

Mr. HUTT said, in reply, that the Report of Mr. Lawes upon his experiments on the relative merits of Malt and Barley for feeding Cattle had not yet reached him; but he understood that he should receive all the papers in two or three days, and he would take care that they should be in the hands of Members in ample time for their consideration before the debate upon the malt tax.

ST. BENET, GRACECHURCH STREET, AND ALLHALLOWS, LOMBARD STREET.

QUESTION.

Mr. CRAWFORD said, he rose to ask the Member for Kilmarnock, as a Church Estates' Commissioner, Why the removal of the Church of St. Benet, Gracechurch Street, and the union of the Benefice with that of Allhallows, Lombard Street, referred to in the Order of Council, dated the 1st November last, and published in the *London Gazette* of the 4th instant, has not been carried into effect, as recommended by the said Commissioners?

Mr. E. P. BOUVERIE said, in reply, that the proceedings of the Commissioners to which the Question of his hon. Friend referred were taken under an Act of Parliament passed in the year 1860, called "The Union of Benefices Act," which provided that in certain cases parishes in the City of London might be united, and the sites of churches which had become useless might be sold. The conditions upon which the success of any such union rested was the sale of the site of a useless church, because the whole thing turned upon the supply of funds which was to be got by that site. The scheme for the union could not come into operation until the order of sale had been made. The site of the church of St. Benet, Gracechurch Street, was exceedingly valuable, worth, he was informed, not less than £30,000; and for the order of sale there were required the consent of no less than four persons—namely, the Bishop of the diocese, the Archbishop of the province, the Secretary of State for the Home Department, and the Archdeacon of the archdeaconry—in this instance, Archdeacon Hale, of London. For the sale of the church the consent of three of the parties to whom he referred had been obtained. The Archbishop had given his consent to the proposal, while it had the hearty approbation of the Bishop of the diocese. The Secretary of State for the Home Department had also given his sanction, but the Archdeacon had entirely disapproved of the policy of the Act of Parliament, and had, therefore, withheld his consent. The result was that all the trouble which had been taken in the matter, the negotiations between the parties, and the correspondence with the Ecclesiastical Commission were all in vain, in consequence of the action of a recalcitrant Archdeacon. He might add that the provision requiring the Archdeacon's consent was introduced into the Bill by the opponents of the Measure, the clauses of which were fought syllable by syllable in its passage through the House, and that if the hon. Member for London should propose the repeal of the provision he should have his hearty support.

NOTICES OF MOTION AND ORDERS OF THE DAY.—QUESTION.

Lord ROBERT CECIL, in whose name a Notice stood on the Paper to the effect that Mr. Speaker be requested to give directions that a Copy of all Notices of Motion and Orders of the Day standing on the Order Book of the House be circulated among Members every Saturday morning, said, it would perhaps be for the convenience of the House if he were to deal with the matter in the shape of a question. He would, therefore, beg to ask the right hon. Gentleman in the Chair, Whether it will be possible to adopt in the House of Commons the practice which prevails in another place, of circulating among Members every week the whole of the Notices and Orders which stand upon the Order Book of the House, so as to enable them to form their plans not only for a single day but for a whole week?

Mr. SPEAKER: I have made inquiries in reference to the subject, which the noble Lord has just mentioned; I find that there will be no difficulty on the part of the printers, and that the expense will be trifling. In the belief that it will be the wish of the House to have the information in the most complete shape, I shall have much pleasure in directing that the Notices and Orders be henceforth supplied as desired.

THE RUMOURED EXPEDITION AGAINST ASHANTEE.—QUESTION.

Sir JOHN HAY said, he would beg to ask the Secretary of State for the Colonies a Question of which he had given him private notice. The right hon. Gentleman had most probably seen the statements in the papers to the effect that the Commandant of Cape Coast Castle was marching with troops towards the Kingdom of Ashantee. He wished to know, Whether that officer has been directed to take the field against the Ashantees; and, if so, whether any precautions have been taken to prevent a mortality amongst our soldiers similar to that which followed the last expedition?

Mr. CARDWELL, in reply, said, no instructions had been sent to the Governor of the Gold Coast to march troops against the Ashantee territory, and any proceeding on his part of that kind would be at variance with his instructions from home. He had, however, heard that the Governor was going into the interior of the country on a friendly expedition, and he (Mr. Cardwell) had it in a Despatch from the Governor that he did not contemplate any warlike measure, but he believed the Governor had taken troops with him as a guard.

EDUCATION—REVISED CODE OF REGULATIONS.

PRESENTED BY COMMAND.

Mr. H. A. BRUCE *presented* (by Command) Copy of Revised Code of Regulations, and said: Sir, I am desirous, in accordance with the wish generally expressed during the discussions which took place on this question last Session, to offer some explanation of those portions of the Code which are new. Some minute alterations have been made in order to clear up ambiguities which have been discovered in the process of administering the Code; but two important changes have also been introduced, the nature of which the House will, I am sure, learn with some interest. Hon. Members are well aware that, whatever success may have attended our educational system in the more populous districts throughout the country, it cannot be said to have exercised the same degree of usefulness in the poorer and more thinly-inhabited parishes. That fact has been long familiar to the House, but it was, I believe, brought out more prominently last Session by the Report laid on the table by the Committee of Council than it had ever previously been. By that Report it appears that, out of all the parishes of England and Wales, which number 14,877, 8,761 have a population of less than 500 inhabitants; while, out of the 8,761, 4,149 have a population of less than 200. Three-fifths, therefore, of the number of parishes in England and Wales have a population of less than 500. It also appeared from the Report that, of 618 parishes which contained more than 5,000 inhabitants, and an aggregate of 10,772,623, 563, or 91·5 per cent, are in the receipt of annual grants from the State; while, of the 8,761 parishes with less than 500 inhabitants, and containing an aggregate population of 1,966,422, only 8·8 per cent received grants. In fact, in the one case, all but 8 per cent receive State assistance; while, in the other, only 8 per cent are in receipt of it. Various attempts have been made in this House, and by the Government, to remedy this inequality: I will now allude to them no further than to say that they have, one and all, either failed in securing acceptance from the House or have broken down in the result, because of their unfitness to secure the object in view. Attempts have been made to enable parishes to unite for the purpose of having one school for several parishes; but the moral obstacles were found to be too great to obtain for it success. A proposition was also submitted to our notice—which hon. Gentlemen have probably seen mentioned in the newspapers—by a lady who has devoted a great fortune to the noblest ends, and who has led the way on many previous occasions in many good works, by which the difficulties of the case might be met in another manner, without departing from the leading principle that State assistance should be given only where the teacher of a school was a certificated master. The suggestion made by the lady in question was that a master should be allowed to attend the schools of a number of parishes, and that the children attending in those schools should be examined, and payment made according to the results. That suggestion, as well as every other bearing on this important subject, we considered with all the attention which it deserved. The result is that the copy of the Revised Code which I have had the honour of just laying on the table contains a provision calculated to carry this suggestion into effect. It is provided by those Minutes that any number of schools, not being less than two or more than six, of which no one has within a mile and a half of it a population of more than 500, and in which the aggregate number of scholars is not less than forty, may be united under the superintendence of one certificated master or mistress, who must have been trained for not less than two years at a normal school, and must have received a certificate after the usual probationary service. The day scholars of all the united schools must be assembled for inspection by one of Her Majesty's Inspectors once every year at some school-room under inspection. They will be examined in the usual manner, and the payments will be made as now to all the other inspected schools. What the result of this experiment will be it is impossible to say. There are, no doubt, in many parts of England a vast number of small parishes, in which there are no physical obstacles to its being tried and carried into effect, and I am sure it is the wish of the House as well as of the Government that the result of the alteration may be, at all events, greatly to diminish the evils which it is intended to remedy. Another proposition which I have to bring under the notice of the House, is that relating to evening schools. Under the old Code, the assistance given to evening schools was as follows:—Boys received 6*s.*, and girls 5*s.*, who had attended fifty nights; while under the Revised Code, the payment is 2*s.* 6*d.* on average attendance at the schools, and 5*s.* on examination to every scholar who has attended more than twenty-four nights. The benefits derived from this system have, however, been very much diminished by the manner in which inspection and examination have been carried into effect. The schools are attended only by those who work during the day, and who, therefore, can only be taught at night. The inspection must take place at some school to which the evening school is attached, and it often happens at an hour at which it is highly inconvenient for the scholars to be present. The result has been found to be that, especially in the summer and autumn seasons, they are not able to spare time to come; and therefore the attendance for examination frequently does not represent the average attendance at the school. We propose to remedy that state of things by having recourse to a plan, new, so far as regards these schools, but which has been successfully tried by the Department of Science and Art. The new Minutes set forth that the managers of inspected schools may apply to be furnished with printed papers and instructions for holding an examination on a day to be named in their application. Two of the applicants must pledge themselves to be present during the whole of the examination, and to conduct it in every respect according to the instructions. The examination-papers will be sent under an official seal, and must be returned by next post under the seal of the two examining managers to the Education Department, who will transmit them to the Inspector of the school. The Inspector may attend the examination without notice, and hold it in person. The effect of these regulations would be that the inspection may take place at the time most convenient to the school, and thus greatly to encourage these institutions—of the usefulness of which the House is well aware, as well as of their necessity, as the complement of our system of elementary education. In writing and arithmetic, the examination would be by means of papers which would be transmitted to the Inspector; while, in the case of reading, reliance must be placed on the honour of the managers. The only other alteration of any importance is one with respect to the revision of the Code. Disagreeable discussions, involving charges of breach of faith, have arisen as to the manner in which Minutes have been introduced from time to time. We are anxious that such differences should be cleared away, and therefore we propose to alter the language of the present Minutes in accordance with the sense and spirit in which they were proposed by my right hon. Friend the Member for the University of Cambridge (Mr. Walpole). These will then read as follows:—

> "The Committee of Council on Education, in the course of each year, as occasion requires, may cancel or modify articles of the Code, or may establish new articles, but may not take any action thereon until the same shall have been submitted to Parliament and laid on the table of both Houses for at least one calendar month. In January of each year, the Code shall be printed in such a form as to show separately all articles cancelled or modified, and all new articles since the last edition, and shall be laid on the table of both Houses within one calendar month from the meeting of Parliament."

Therefore, while the power of the Department to alter the Minutes is recognized, the action upon them is restrained until the documents have been laid before Parliament.

Sir JOHN PAKINGTON: I think the right hon. Gentleman has established a good precedent, and has endeavoured to meet the wish expressed by the House last Session by a free explanation of the new Minutes adopted by the Committee of Council at the time of their being laid on the table of the House. On the other hand, I think the course adopted by the right hon. Gentleman is attended with some degree of inconvenience, and is somewhat unusual in this respect, that the right hon. Gentleman has availed himself of an opportunity—usually one only of form—to enter upon a statement of which he has not given any notice. I am sure the right hon. Gentleman did not intend to do anything irregular, but I think it would have been better had he given some intimation of his intention. Under the circumstances, I think I shall best consult the convenience of the House by deferring any observations I may have to offer to a future opportunity.

Mr. H. A. BRUCE: I consulted the Speaker as to the course which ought to be taken, and he informed me that it would be altogether irregular for me to give notice of a statement on laying these papers upon the table. I therefore adopted the only course which lay in my power, that of communicating my intention to the right hon. Gentleman and others taking an interest in the subject of education.

Lord ROBERT CECIL: I shall not utter a word of comment on what the right hon. Gentleman has stated, but there is one question which I wish to address to him in elucidation of the statement he has just made. I wish to know whether the Minutes to be laid every year on the table of the House by the Committee of Council are to be understood as including such regulations as those supplementary rules introduced eighteen months ago—whether, in fact, every kind of regulation affecting the payment of managers will be laid on the table of the House and not carried into execution until one calendar month after that step has been taken?

Mr. H. A. BRUCE: These regulations form no part of the Code; they are laid on the table every year with the Report, and I am not aware of any intention to depart from the practice hitherto established. I have been extremely cautious that everything hitherto called regulations, but which ought to form part of the Code, should be embodied in the Code, and the noble Lord will find that many of the matters which formed subjects of discussion during the last Session are now embodied in the Code.

To lie on the table.

SUPPLY.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

RIOTS AT BELFAST — THE ROYAL COMMISSION—PARTY PROCESSIONS (IRELAND.)—QUESTION.

Sir HUGH CAIRNS, who had given notice—

> "To ask the Chief Secretary for Ireland a Question relative to the Commission of Inquiry into the recent disturbances at Belfast; and to call the attention of the House to the circumstances connected with that Commission, and to the administration of the Law and Processions in Ireland; and to move for Papers,"

said—Sir, I have to beg the attention of the House for a short time, while I refer to some matters of detail connected with the administration of the law in Ireland. I am well aware of the tendency of Irish topics to engender, in the course of debate, feelings of irritation and of controversy. I can assure the House that in the proposition which I have to make I shall desire, and I hope I shall be able, to avoid using a single word which can give pain to any person who hears me. I deplore as much as any one does the extent to which religious and political animosity has prevailed in Ireland, and it is not my object to excite or to aggravate those differences, but rather to refer to a matter which all parties and all sections ought equally to have at heart — I mean the wise and impartial administration of the law. My desire is to invite, and I hope we shall obtain from Her Majesty's Government some explanation which will tend to calm and reassure the public mind, in many parts of the country greatly excited and disturbed by the occurrences to which I am about to refer. I will ask the House to allow me, in the first place, to remind them of what the law in Ireland at the present time is on the subject of public processions. Before the year 1832 there was no statutory enactment that I am aware of about processions in Ireland. In the year 1832 the present Lord Derby, then Chief Secretary for Ireland, as the organ of the Government of the day, introduced into this House and passed through it the first statute on the subject of processions. That statute continued in force from 1832 till 1844, being renewed from time to time, and in 1844 it was allowed to expire. Now, the character of that enactment was simply this:—It prohibited, or declared illegal, processions in Ireland which were accompanied by certain descriptions of banners and music, which I need not at this moment describe; but the peculiarity of the enactment was, that it was confined to those processions which took place for the purpose of celebrating either an anniversary or a festival, or some public event connected with party differences. It applied to no procession of any other kind; and the consequence was that the statute became the subject of much remark during the time that it continued in force, and being said to bear upon one party in the country more than upon another in a way that had not been intended by the House, there was a strong feeling in favour of its being either repealed or allowed to expire, and it accordingly expired in the year 1844. In the year 1850, after the lapse of six years, an enactment was passed to replace the statute which thus expired, and it is that enactment which is at present in force. To the words of that enactment, which are very short, I wish, if the House will allow me, to refer, because they have a particular bearing on what I have subsequently to state. That statute declares that—

> "All assemblies of persons in Ireland who shall meet and parade together or join in procession, and who shall wear or have among them or any of them any fire-arms or other offensive weapons, or any banner, emblem, flag, or symbol, the display whereof may be calculated or tend to provoke animosity between different classes of Her Majesty's subjects, or shall be accompanied by any person or persons playing music or singing any song which may be calculated or tend to provoke animosity between different classes of Her Majesty's subjects, shall be unlawful assemblies."—[13 & 14 *Vict.c.* 2.]

And, then, certain provisions are made which would enable the magistrates to take steps to remove those matters connected with the procession which may be objectionable, and to bring to justice the persons offending against the law. The test is not what the result of the procession will be but whether the banners, music, &c., are calculated and tend—not whether they are intended—to provoke animosity between different classes of Her Majesty's subjects. At the time this Act was before Parliament, some observations were made by the Lord Lieutenant in his place elsewhere, recommending the Bill to the attention of Parliament, and those observations have an important bearing on the statute, fairly and accurately describing, in fact, the objects with which it was passed into law. Lord Clarendon, on that occasion, said—

> "I trust your Lordships will give your assent to a Bill which is now before the other House for putting an end to all processions—a Bill, I beg to say, which is directed against no particular party, and will be a triumph to none."—[3 *Hansard*, cviii. 949.]

No doubt that was the object of the Legislature, and no doubt the words of the Act of Parliament, if properly carried into operation, would have that effect. In calling attention to the administration of the law under this Act, I will state frankly to the House my own opinion — the opinion, of course, only of an individual—that I have always entertained very great doubt about the wisdom of this kind of legislation. I own I can hardly help being surprised at any country that boasts of its freedom, being content to be told that it is to be deprived of the liberty of using banners, flags, music, &c., of any kind. I deprecate the wisdom of such processions. I think them most idle, foolish, and ill-advised, but still I think a much higher and better end is attained by accustoming the people of Ireland to tolerate on the one side and the other, matters which certainly we in England look upon as indifferent. Another great defect in this kind of legislation is, that it is very apt to generate suspicions of a partial administration of the law, or actual partiality in its administration. At the same time that is but the opinion of an individual, and Parliament in its wisdom has passed the statute to which I refer. In one point we all agree, that whether the Act of Parliament was wise or unwise, desirable or undesirable, it is above all things necessary that once passed it should be, like any other Act of Parliament, firmly and impartially maintained and administered as against not one only, but all sections of the community. But what has been the course that has been taken in Ireland under this Act of Parliament? Since 1850 there have been a great many convictions for offences under the Act. They have been principally convictions of a very petty and paltry character. Small assemblies of boys and girls, and sometimes of adults, have been found transgressing the law, no doubt have been proceeded against, and punished. I believe there was a very celebrated case in which two small boys were found in possession of a very bad imitation of a drum. They were prosecuted before the sessions, and duly punished for the offence. If they had been convicted of committing a nuisance, no one would have objected, but it was rather magnifying a very small offence to treat it as playing music tending to provoke animosity between different classes of Her Majesty's subjects. I will now ask the House to allow me to mention a particular case which has occurred in more recent times—a case in regard to which I make no complaint whatever, but to which I advert in order to show how the law has been applied. Sir, in the summer before last there were half a dozen men in a town called Gilford, county Down, in the north of Ireland, who were prosecuted for walking on the 14th of July in a procession, which had banners of the character mentioned in the Act of Parliament. They were convicted at the Downpatrick Assizes, and sentenced by Mr. Justice Hayes to three months' imprisonment in the gaol of Down for being seen in the crowd of persons who walked through Gilford with music and emblems. Evidence was given that a procession from the country came to the town. It was not contended that the prisoners did any unlawful act except joining in the procession. There was no quarrel or collision, nor was any complaint made to any of the police by any of Her Majesty's subjects offended by the procession. These prisoners were married men with children; they had the best possible character for steadiness, and a petition, extensively signed by Members of this House, Magistrates, Deputy Lieutenants, and other persons of respectability cognizant of the facts, was sent to the Lord Lieutenant, praying him to exercise the prerogative of the Crown and liberate these men. That petition was refused. The men were not pardoned, and they served out their full term of three months. I make no complaint in that case, because these men had violated the law as it stood, and they were properly tried and sentenced. Let me now ask the House to observe the course taken with regard to processions of a much larger description. There were two large processions in Dublin—one in 1861, and the other in 1862. They were both extremely large in numbers, and it was the common opinion in the country that they were accompanied by banners and music of the character pointed out by the Act of Parliament. There was also another procession, in regard to the facts of which there is no dispute—the procession of August 8, 1864, in Dublin. We all know the ostensible purpose of this procession—it was to lay the foundation stone of a statue to a man whose name will largely figure in the history of Ireland, and is regarded with respect and veneration by many Members of this House. It was perfectly right for these parties to have a statue and a procession to inaugurate, if nothing were done in violation of the law. What was the course taken by the Irish Government in apprising the magistracy and the constabulary of Ireland as to their duty in regard to processions of this kind? In 1862, a circular was issued from Dublin Castle to all the magistrates in Ireland. It was couched in language which is sometimes used in Ireland, but which is, I believe, seldom addressed to the magistrates of this country—

> "The justices should understand that it is their bounden duty, within their respective jurisdictions, to act upon the powers vested in them by the law for the suppression of these illegal proceedings (to wit, the display of party emblems, or the marching in procession with music and colours); and that they will be held individually and collectively responsible for any violation of this law which may occur in their district, of which it shall be found that they have had notice, and where it shall appear that they have not made use of their authority and the means at their disposal to suppress such proceedings, and bring those concerned to justice."

I do not know that it is the law, as known in this country, although it may be the law at Dublin Castle, that magistrates are responsible collectively and individually if other persons break the law. It is a singular view of the position of the duty of a justice of the peace, and a somewhat summary proceeding. As to the constabulary, a circular, dated June 21, 1864, was issued from the Constabulary Office, Dublin

Castle, and signed by the Chief Constable. It set forth that—

> "Any person who shall publicly exhibit or display . . . any banner, flag, party emblem, or symbol, or who shall publicly meet and parade with other persons, or play any music in any public street, if such acts are done wilfully and knowingly in such a manner as may be calculated or tend to provoke animosity between different classes of Her Majesty's subjects, and lead to a breach of the public peace, is guilty of a misdemeanor. Strict orders have been given to the constabulary to take down the names and residences of all offenders, in order that they may be proceeded against."

These were the orders given, one to the magistrates and the other to the constabulary. As to the procession of the 8th of August, the facts are not disputed. I have taken them partly from two newspapers which sympathize with the objects of the procession, and partly from the words of an eyewitness, and I state the facts from these sources that they may not be controverted—

> "The procession occupied three-and-a-half hours in passing any given point, and was estimated to amount to from 60,000 to 80,000 men. Every man wore some ribands of white and green, either a rosette, a band on his hat, or a scarf, sometimes all three. The scarfs were of green silk, with harps on them, without a crown. The rosettes had similar harps in the centre. There were wands carried adorned with green ribands. There were 134 large banners, more or less green, and many thousand banneretes all green. The green banners, banneretes, scarfs, and rosettes, were borne not only by the various trades, but also by schools and religious orders. The barricade in Sackville Street was kept by the coal porters, carrying sticks adorned with green ribands; and at each corner of the barricade stood a man with a pike, from which depended a bannerete of green with a crownless harp. Some of the banners had the emblem of a 'sunburst.' There were from twenty to thirty bands of music; and tunes, well known as party tunes, such as 'Garryowen' and the 'White Cockade,' were played."

Now, I do not know whether we shall hear from the Chief Secretary for Ireland that he considers there was nothing in all this which was a violation of the Act of Parliament. I recollect the right hon. Baronet saying once in this House that it was a mistake to suppose that green was a party colour in Ireland, and I recollect, also, the amazement which that statement produced in Ireland. But I do not desire to go into the question whether it is a party colour or not. There are no such words in the Act of Parliament as "party colour;" it is a false issue. But if green is not a party colour, there is no such thing as a party colour in Ireland at all. There is nothing that could be suggested as the colour of one party as opposed to the colour of another. If the right hon. Baronet has ever had leisure to peruse the ballad literature of Ireland—some of it produced by men of the greatest talent and well worthy of perusal—he will find sentiments in it which will convince him what the character of that colour is in the estimation of the Irish people. But the words of the Act of Parliament are these—

> "Any flag or symbol the display whereof may be calculated or may tend to provoke animosity between different classes of Her Majesty's subjects."

We all know enough of Ireland, whether we be Irish Members or not, to know perfectly well and to judge for ourselves whether the state of things which I have described was or was not such as was aimed at by the Act of Parliament, and intended by the Act to be stamped as something which ought not to be permitted. I do not know whether the right hon. Gentleman may not say that no breach of the peace occurred. Now, in the first place, the Act of Parliament does not make that the test. In the next place, with respect to the men of Gilford—to whose case I referred—that was put forward as a reason why mercy should be shown to them when convicted, and the plea was not received. But I would warn the right hon. Baronet of the danger of putting forward any defence of this kind, because the consequence will be this. If you say, "We won't take notice of breaches of the Act of Parliament where collisions do not take place," you tell the minority that their only hope of having the law enforced for their protection is to cause a collision so as to provoke a breach of the peace; and, on the other hand, you tell the majority that, provided they can bring together a force so large and so overwhelming that there would be no danger of any person interfering with them, they may set the law at defiance. There is one other consequence which I wish to point out to the right hon. Baronet. The moment it becomes known that the Government will institute proceedings under this Act of Parliament at some places and under some circumstances, but not in others, there is an end of all chance of your obtaining convictions under the Act. The Act is one which leaves a considerable amount of discretion to the jury, because the jury has to say in the first place whether any banner or symbol has the tendency referred to in the Act of Parliament. Well, you have got convictions up to this time very fairly; jurors are willing to convict. But let it once be known that the Government do not intend to apply this law impartially, and from that moment the jury will take the law into their own hands, and will refuse to say that any violation of the Act comes within the meaning of the words, and they will return verdicts for the defendants. Now with regard to this particular case, I believe that neither at the time nor after it was any complaint made by the Government of the conduct of the persons who formed the procession in Dublin, or of the magistrates who accompanied it—for I believe there were magistrates who did accompany the procession and take part in it—and I believe the Government have treated the matter from that day to this as one which in no respect infringed the Act. If that be so, I ask the House if they are surprised at what is said in a petition which I had the honour to present, and which was signed by many thousand inhabitants of the north of Ireland. The petitioners

> "Pray your honourable House to take such steps as in your wisdom shall seem best to cause the law against party processions and emblems to be impartially enforced against persons of whatever creed or politics, and to remove from the minds of the inhabitants of Ulster the impression that the laws in question, though general in their wording, were only intended to be put in operation against a particular class of Her Majesty's subjects."

We know there was no such intention; but is it surprising that men—more especially uneducated men—should adopt the opinion which is there expressed, and should arrive at the conclusion that the Act was only intended to be enforced against one section of the inhabitants of the country? But I must ask the House to go a little beyond the Procession Law of Ireland. The Dublin procession took place on the 8th of August. Immediately afterwards there occurred an event which, unfortunately, became so public that every Gentleman in this House must be aware of it—I mean the disturbances and riots in Belfast. I am sure that any person connected with Ireland, more especially with Belfast, would be unable to speak of these disturbances—certainly, I should be unable to do so—without feelings of pain and mortification—pain and mortification that under any circumstances, whatever blame is to be attached to any party, such things at this time of day should have taken place in the otherwise happy and most prosperous town of Belfast. I am not going to suggest at this time—for I desire as far as possible to avoid all ground of controversy—how far, or whether at all, these disturbances are to be traced to the course taken by the Government with regard to the procession in Dublin. There is not the least doubt that nine out of every ten men in the north of Ireland would tell you that is their opinion. But I do not desire to inquire into the fact. It is, however, beyond doubt that the minds of men were so much excited immediately after this procession in Dublin, that it required but a very small spark indeed to blow that excitement into a full flame. But though I refer to the disturbances in Belfast, I beg the House to understand that nothing can be further from my mind than to enter into any details with respect to these disturbances. For this reason—there are nearly 100 persons waiting their trial at the next assizes, all accused of having committed offences in connection with these disturbances, and I should be unwilling that a word should fall from me which should in any way affect the course of justice. But, Sir, what I want the House to observe is the course which was taken by the Irish Government immediately upon the occurrence of these disturbances. And when I say the Irish Government, I own I feel myself in considerable difficulty in knowing what the Irish Government was at that time. The late Lord Lieutenant of Ireland had left the country; we felt painfully that there was sufficient reason for his doing so, and we deplore the subsequent result. The right hon. Baronet was also absent; but I do not suggest that he also had not good reason for his absence. The Government of Ireland, in the absence of the Lord Lieutenant, is generally supposed to be reposed in the Lords Justices. But there were no Lords Justices. [Sir ROBERT PEEL: There was the Commander-in-Chief.] Oh! the Commander-in-Chief was the Government of Ireland? I was just coming to that. The Lord Chancellor was absent; the Archbishop of Dublin was not present; the Commander-in-Chief, Sir George Brown, bore upon his own shoulders the whole Government of Ireland upon that occasion. Well, what did Sir George do? There was in Belfast a stipendiary magistrate. Hon. Members not acquainted with Ireland will allow me to remind them of the character of a stipendiary magistrate in Ireland. He is resident in a particular place, generally in a populous town, he receives a salary from the Government, and is appointed because he is supposed to be a master of his profession, and also because, being always on the spot, he will be in constant communication with the Irish Executive at Dublin Castle. Well, there was a stipendiary at Belfast, and we may assume that he was in daily and hourly communication, before and at the time of the disturbances, with the Castle, which, I suppose, means with Sir George Brown. That was not all. As soon as the disturbances broke out the Government sent to Belfast six other stipendiary magistrates. [Sir ROBERT PEEL: No!] I beg pardon. I am sorry to be inaccurate. Perhaps there were seven. There were either six or seven. They were withdrawn from other parts of Ireland, and I do not think it is any strong assumption that they comprised the flower of the stipendiary magistrates of Ireland, who were to relieve the local magistracy from any trouble or anxiety, and to perform any duties which might become necessary. In addition to this Sir George Brown showed great vigour. He poured troops into Belfast—I believe as many as 4,000 within forty-eight hours. He sent down two large Armstrong guns with their usual accompaniments, and a considerable body of cavalry, and in addition there was a general officer with the troops, General Haines. A very large body of constabulary was also sent to Belfast from the neighbouring country; I am told there were as many as 1,800; and they had at their head an officer who enjoyed the advantage of being a magistrate in every county in Ireland, having been made so for the purpose of acting there in a magisterial character whenever there was occasion. Yet, notwithstanding the six or seven stipendiaries, the troops, the general officer, the Armstrong guns, and the constabulary, I am sorry to say that nothing on earth was done. The constabulary were waiting for the military, the military were waiting for the guns, the two forces together were waiting for the stipendiaries, and the stipendiaries did nothing at all. The result was—and it almost excites a smile when one thinks of it — the riots went on undisturbed for eleven or twelve days. They wore themselves out, though, I believe, some vigorous action by one of those various bodies must of necessity have stopped them within twenty-four hours. What did the Government do next? As I have said, nearly 100 men were arrested for participating in the riots or for committing offences during the riots — the greater number for the misdemeanor of taking part in the disturbances, but something like eighteen or twenty for assaults or homicides, or offences amounting to felony. Now, the Government had two courses open to them. I suppose at this time the government of Sir George Brown was approaching to an end, and perhaps some of the Lords Justices had arrived. The Government might have issued a Special Commission to try these prisoners. Bail, in the first instance, was refused for almost all. Now, I wish to deal fairly with the Government, and to make fair allowance for the difficulty they were in. In issuing a Special Commission there would have been a difficulty. It might be said, and said with some truth, that it would have been unwise to send a Special Commission for the trial of these prisoners in Belfast when the excitement there had scarcely passed away; and there would have been great danger of renewing that excitement by trying these prisoners so soon after the disturbances. That may be a reason, and a very fair reason, against a Special Commission. The Government did not send a Commission; but what did they do? The riots terminated about the 20th of August. About the end of September, or the beginning of October, a certain number of inhabitants of Belfast sent a deputation to Dublin, and requested the authorities at the Castle to send down not a Special Commission to try the prisoners, but a Commission of Inquiry. It was a private application, and what took place at it I have no means of knowing. But it was publicly announced early in October by those who made the application that the Government had assented to it; that two gentlemen were coming down as Commissioners for the purpose of inquiry; and so accurate was the information that the names of the Commissioners were given. That was early in October, but no intimation was made to any of the authorities in Belfast until about the 6th of November, a month after the intentions of the Government had been communicated to the deputation. On the 6th or 7th of November, then, it was intimated to the Mayor of Belfast that a Commission was issued, and that it was to sit in Belfast to inquire into certain matters which I will presently refer to. If it was not desirable that there should be a Special Commission for the trial of prisoners on the ground of the excitement then prevailing in the town, was it desirable to have that irregular court called a Commission of Inquiry, which could do nothing but foment dissension and ill will in the town, and, as I shall presently show, prejudice the case of the prisoners who stood for trial? But there is more about the Commission to which I wish to refer. The two Commissioners were members of the Irish Bar, Queen's Counsel, and I desire to speak of them with all respect. From all that I have heard I believe that they have won an honourable place in their profession by their character and abilities, and that no exception can be taken to their competence to transact any business which might be assigned to them. But there was one peculiarity with regard to them which seems to me to have been very unfortunate. If an inquiry like this was to satisfy the public mind at all, surely it was of the first necessity that those who were to perform judicial functions should be above the possibility of suspicion. But I find from the Reports of this House that the senior Commissioner, Mr. Barry, a gentleman of great eminence and ability, appeared as counsel before a Royal Commission which sat in Belfast in the year 1858, and which turned upon various matters of local interest connected with the present inquiry, and which were said, rightly or wrongly, to have borne upon these disturbances. Before the Commission of 1858 Mr. Barry appeared, representing the party connected by feelings and sympathy with those who had solicited the appointment of the present Commission. It is singular, that upon that occasion Mr. Barry protested against the inquiry as unconstitutional, though it possessed, to say the least of it, very much greater authority than this inquiry, for that of 1858 took place by virtue of a Royal Commission, whereas the other was instituted by the authority of Sir George Brown. So much for what happened before the Commission sat. But that is not all. Remember that the Government itself was upon its trial, because one of the very things which almost everybody on the spot complained of was that in spite of troops, constabulary, and stipendiaries, the Government had taken no effectual means whatever to suppress the riots. An inquiry, therefore, into the subject of the riots was, and must have been, an inquiry more or less affecting the conduct and the responsibility of the Government. But what have the Government done with respect to Mr. Barry, as to whose honour and conduct I make no complaint? Why, before the Report of the Commission had been presented to the House they have appointed him one of the Law Advisers of the Crown. I say again, that I attach no blame to Mr. Barry, but blame is to be attached to those who have put him into a false position. He has now to make his report upon these matters, as to which the Government were upon their trial, at the very time he is the Law Officer of the Government, and the Law Adviser of the Castle at Dublin. Suppose it were the opinion of Mr. Barry that these disturbances went to the pitch they did by reason of some failure of duty on the part of the Government, in what way, and with what grace, would the Law Adviser of the Government make a report to that effect? I desire now to say a word as to the scope and object of this Commission. I hold in my hand the authority under which these gentlemen professed to act, and which they said was their instruction for holding an inquiry in Belfast. This House will be surprised to hear that the warrant is signed "G. Brown, General." This is, I think, the first time that a Commission of Inquiry has been held under the warrant of a General Officer; and I hope that the Chief Secretary for Ireland will explain how it happened that, on the 3rd of November, 1864, Sir George Brown issued a Commission of Inquiry in the name of the Lords Justices, countersigned by himself as General officer. But the more important matter was what these gentlemen were to inquire into: and I pray the House to observe how studiously the Government evaded the possibility of inculpating themselves, and suggested the possibility of inculpating some one else. The warrant stated —

"We do hereby authorize and direct you, Charles Robert Barry and Richard Dowse, Esqrs., two of Her Majesty's counsel-at-law, to hold a court of inquiry at Belfast, aforesaid, on Saturday, the 12th day of November instant, and following days, and to inquire into the existing local arrangements for the preservation of the peace of that borough, the management and jurisdiction exercised within it, and the amount, and constitution, and efficiency of the police force usually available there; the proceedings taken by the magistrates and other local authorities towards the prevention or suppression of the said riots and disturbances; and whether these authorities and the existing police force are adequate to the future maintenance of order and tranquillity within the borough; and whether any and what changes ought to be made in the local magisterial and police jurisdiction, arrangements, and establishment, with a view to the better preservation of the public peace and the prevention or prompt suppression of riot and disorder."

So that it appears by the warrant that in this inquiry the cause of the riots, the means of preventing them in future, the conduct of the stipendiary magistrates amenable to the Government, the conduct of the Government itself, the force at the disposal of the Government — all of which, if there were to be inquiry at all, were surely proper subjects for it—were to be entirely ignored, and the investigation was to be limited to the acts of the local police and the local magistrates. There is a still more singular feature connected with this case. Will the House believe that under a Royal Commission, in 1857, issued by the present Government, the identical matters described in this warrant had all been inquired into and reported on? For the duties of the Royal Commission of 1857 were thus stated—

"To inquire into the local arrangements for the preservation of the peace and the suppression of riot and disorder in Belfast, the force usually available there for such purposes, and the adequacy of such provisions for the maintenance of peace, order, and tranquillity. And, generally, to make such inquiry in the premisses as to you shall seem proper and expedient."

So that the very same words used in reference to the inquiry last year were the words addressed in 1857 to the Commissioners then appointed, who inquired into the riots of that year, the force at the disposal of the local magistrates, and the power of those magistrates, and who reported in these very significant words—

"These matters lead us to believe that in the constitution of the present police force there are serious errors, calling for immediate remedy—and to recommend that a total change should be effected in the mode of appointment and the management of the local police of Belfast. We think the late riots have made this step one that recommends itself to every calm thinking and reasonable man in Belfast, and we hardly think it could find opponents even among the warmest partisans."

If, therefore, the Chief Secretary for Ireland should tell me that the Government issued the Commission of last year to inquire into the constitution of the police force, and to see whether it was adequate for the suppression of riots, my answer is, that you made that inquiry before when a Commission sat for three weeks, at the expense of many thousand pounds to the public, and the Commissioners reported that the constitution of the police force called for immediate change. What did the Government do upon that Report of 1857; I mean the Government who issued the Commission? Why, nothing. Nothing from that day to this. True it is, when my noble Friend the Member for Cockermouth (Lord Naas) was Chief Secretary for Ireland, in 1858, he, finding this Report made to the Crown, felt it his duty to lay on the table a Bill to carry out the recommendations of the Report; and, at the same time, proposed regulations with respect to the police of Dublin. I well recollect the opposition given to that Bill by those who were in opposition to the then Government. No doubt a great part of that opposition was directed against that portion of the Bill which affected Dublin; but the result was that the Bill was obliged to be abandoned, and the Government, who issued the Commission of 1857, and who again came into office and have since held office up to the present time, did nothing whatever in spite of the statement of their own Commission of 1857, that the inefficiency of the police had been the cause of the riots, might aggravate any future riots in the town of Belfast, and that the constitution of the force required an immediate alteration. So much for the scope of the inquiry of last year, and now I come to say a few words with respect to the proceedings which took place under it. After the issue of the Commission, the Commissioners went to Belfast and sat twenty-two days in all. There was, no doubt, very great excitement in consequence of this inquiry. The Commissioners announced, immediately after commencing their sittings, that, though they were a court of inquiry, they did not propose to be bound by any rules of evidence, or to take evidence on oath. They also announced that they had no power to compel any person to attend as a witness before them. Now, ask the House to consider what the result of these three infirmities, if they may be so called, on the part of the Commissioners must be. If they were not prepared to adhere to any rules of legal evidence, the result would be that hearsay, gossip, opinions, impressions, anything, everything but facts would be repeated to them. Then, if they could not hear evidence on oath, there could not be the safeguard—one of the greatest protections for those affected by evidence — the safeguard of an oath, which to most minds at least is a check against false witnesses, and erroneous statements. Lastly, and worst of all, if they could not compel the attendance of any witness, the result would be that they would be at the mercy of volunteers and partisans, who came forward with evidence of little value, and such as might chance to come before the Commission; while the attendance of witnesses who would be impartial, and their evidence, therefore, of the greatest value, the Commissioners were unable to compel. It was not surprising that one of the first things that happened was this:—There being nearly 100 men waiting for trial at the Spring Assizes, a legal gentleman, who represented a large number of them, handed in the following protest:—

> "To Messrs. Barry, Q.C., and Dowse, Q.C., Commissioners, &c.—I, the undersigned, James M'Lean, solicitor for various parties against whom informations have been taken for alleged participation in the late riots in this town, and who are now either out upon bail or in custody (as the case may be), protest against your proceeding upon the inquiry now opened, and assign the following reasons:—1. That the Commissioners have no power to compel the attendance of witnesses, and consequently that witnesses who come forward will do so voluntarily, and in many cases must, therefore, be tainted with suspicion. 2. That the Commissioners have not the power to administer an oath, and that false witnesses cannot, therefore, be prosecuted for perjury. 3. That statements may be made by such witnesses affecting the cases of the persons on whose behalf I protest; and which statements, as they could not be anticipated, cannot be prevented from being made by the Commissioners."

That protest, though a very proper one, was disregarded, and the Commission was proceeded with. Now, as far as I understand, the usual course pursued in Commissions has been for the Commissioners to say to persons coming forward voluntarily, "We will ask you questions on points on which we wish to have information, but we will protect you from imputations and cross-examinations." Instead of this, counsel appeared on behalf of those who had asked for the Commission. That counsel did not state or allege a case against any particular person, but called witness after witness who came forward as volunteers; he examined every witness on every subject, which appeared to him interesting or profitable for the time being. I do not find fault with him, as no check was imposed by the Commissioners. He went into an examination of the evidence which is to be made the foundation of charges of homicide against a number of men awaiting their trial, and witnesses were examined as to the acts and conduct of a magistrate who was stated at the time to be absent in Italy in consequence of ill health, and who, though perhaps not aware of the Commission of Inquiry, will read in the report charge after charge against him. Again, in the Commission, as I have pointed out, there was nothing which required the Commissioners to go into the origin or cause of the riots. But the evidence went into that. Statement after statement was made as to gossip, as to impressions, surmise, and opinion upon everything connected with the riots from beginning to end, after the Commissioners had said that they had not the power and did not wish to go into any evidence of that kind. I ask the House, then—for this is the important part of the case—to consider what the effect of this is upon the prisoners who are awaiting their trial at the Spring Assizes. And what about its effect upon the jurors? The jurors are to be taken from a panel of persons who serve on the Belfast juries. They have heard a rehearsal for twenty-two days of the whole of the events which are to become the subject of the charge against these prisoners; they have heard these events discussed in heat and in partisanship; they have heard them discussed by volunteer witnesses coming forward for a proceeding that was practically *ex parte;* they have heard them discussed with statements made not under the sanction of an oath, statements made without any proper cross-examination, statements made by those who showed by the very fact of their coming forward as volunteers to give their evidence that they were partisans and not indifferent witnesses. Now, I say, how is it possible for jurors to keep their minds even and unbiassed in the face of a rehearsal of that kind, lasting for twenty-two days and exciting the town beyond measure? And how can the prisoners have a fair trial at the hands of juries constituted after a Commission of that character has sat? But observe how it stands as to the witnesses. Who are the witnesses who would naturally be called upon the trial of these men? Why, clearly the local police, the constabulary, any of the military who witnessed any of the events in question, and such spectators and other persons as could give evidence in regard to them. But in respect to these persons, I do not say that all, but a very large number of them have been examined before this Commission; they have rehearsed their evidence, they have given it not upon oath, not with a proper examination, not with any attention to the rules of evidence. I do not mean in the slightest degree to insinuate that any of them would be guilty of wilful falsehood, but I say the human mind is so constituted that, after an inquiry of that description months before, it becomes warped and biassed so as to make it impossible to get the exact truth from such witnesses. I am asked whether it would not be better to wait for the Report of the Commission before adverting to these circumstances; but it seems to me of little consequence what the nature of that Report may be. I am glad to hear from the Chief Secretary that the Report will be laid on the table, though it may be said of it that it will go out without authority and come back without respect. But in the meantime an incalculable evil will be done to the administration of justice with regard to the prisoners standing for trial. I must say a word about Commissions of Inquiry. Where they deal with matters of detail, matters of departmental administration, matters where no public feeling is excited, and matters with which no criminal charge can be connected, I do not say that Commissions of Inquiry may not be perfectly legitimate and extremely useful. But I maintain—and I trust the House will stand firm to the same opinion—that wherever you have a Commission of Inquiry which obstructs the administration of justice it is unconstitutional. The only thing that can rescue any novel Commission of Inquiry from the charge of being unconstitutional is the circumstance that it can do no harm. If it prejudices the trial of individuals or interferes with the due course of justice, then I hold it to be unconstitutional. I would refer the House on this point to some words of Lord Coke, which I think ought to be borne in mind by those who issue these Commissions. We have also the opinion of the whole of the Judges at the same period; but Lord Coke says, that two centuries and a half ago—

> "Commissions were directed to divers Commissioners in various counties to inquire of depopulation of houses, converting of arable land into pasture, &c. But the Commissioners should not have any power to hear and determine the said offences, but only to inquire of them. And it was resolved by all the Judges that these Commissions were against law for these reasons [among others]:—for this, that it was only to inquire, which is against law; for by this a man may be unjustly accused by perjury, and he shall not have any remedy. Also, the party may be defamed and shall not have any traverse to it."

But if that be so, if the mere chance that there may be a false accusation made where the person making it cannot be punished for perjury, or that there may be a person defamed without his having any traverse—if that be a reason against the issue of a Commission of Inquiry, what is to be said if the Commission warps and perverts the course of justice to the prejudice of men awaiting their trial? Sir, I have brought this matter before the House because I thought it ought to be taken notice of. With regard to the papers I wish to move for, I understand there is no objection to their production, and perhaps it will be more convenient to the House if that part of the Motion is taken as an unopposed Motion at some other time. The questions I wish to ask the Chief Secretary for Ireland are—1st, When are we to have the Report of this Commission, and next, by whom the Commission was issued, whether by Sir George Brown or by the Lords Justices? I have also laid before the House, with no exaggeration, and certainly with no desire to give offence, the larger question as to the administration of the law with regard to processions in Ireland. I greatly fear that it is impossible to arrive at the conclusion that there have not been in the administration of that law, and also in connection with this Commission of Inquiry, some want of impartiality and some want of wisdom on the part of the Irish Government. I have heard Members complaining of the character of the legislation for Ireland which springs from our Parliaments, and I do not mean to say that some of our legislation is not open to some of the charges made against it; but I am satisfied that there is one thing which is even worse than bad legislation, and that is a bad administration of the laws which exist. I believe that nothing is more galling to an intelligent and high-spirited people than the idea that there is any attempt to administer the law differently towards different sections of the community. What Sir John Davis said two centuries and a half ago is true of Ireland still. Speaking of his interesting travels through the country, Sir John Davis remarked—

> "There is no people under the sun that doth better like indifferent justice, and will rest better satisfied with the execution of the law, though it be against themselves, so that they have the protection and benefit of the law when they deserve it."

I trust that we shall have in this matter some explanation from the right hon. Baronet or the Government. Certainly, if we have not, I must take this opportunity, the earliest in my power, of entering my protest against that which I cannot avoid calling a grave failure and serious miscarriage in the administration of the law.

SIR ROBERT PEEL: Sir, being single-handed in representing the Government of Ireland in this House, I feel that I rise under considerable disadvantage to answer so able a speaker as the hon. and learned Member for Belfast, and for that reason I ask the indulgence of the House while I endeavour, to the best of my power, to follow the observations which he has addressed to us. I do not wish to be thought at all to dispute the right of the hon. and learned Member to consult what he no doubt conceives to be the interest of his constituents in bringing this subject before the House on the present occasion. Neither am I unwilling to acknowledge the temperate manner, upon the whole, in which he has submitted his remarks to us. In the course of those remarks he referred to the unhappy disturbances at Belfast. I can, on behalf of the Government, cordially concur with the hon. and learned Gentleman in the expression of deep and heartfelt regret at the painful circumstances and the unhappy differences which occurred in that town last August. But I would put it to the House whether, laying aside considerations of local interest, it would not have been better, upon public grounds, if this Motion had been postponed ; whether the Motion is not to some extent premature and inopportune. I ask whether in the interests of all parties concerned, in the interests of justice, on which the hon. and learned Member laid such stress, in the interests of that public order to which sectarian animosities are so inimical, it would not have been infinitely preferable to defer the bringing forward of this Motion, at least until the Report of the Commissioners, together with the evidence taken before them, had been laid on the table of the House. Now, I told the hon. and learned Gentleman the other day that that Report would be forthcoming in a very short time. Apparently he has not thought fit to wait till that time arrives, but in spite of the suggestion made to him by an hon. Gentleman below the gangway, he has persisted in entering upon this question now. I do not find any fault with him on that ground. I will not shrink from meeting the hon. and learned Gentleman fairly on the issues which he has placed before the House. One of these issues is as to the administration of the law against processions in Ireland. I maintain that the action of the Government has proceeded on a strictly constitutional interpretation of the law as it exists. I hope I shall be able to show that to the House. I hope I shall be able to vindicate the Government as far as regards that important paragraph of the notice which the hon. and learned Gentleman has put on the paper. The hon. and learned Gentleman, in the opening of his remarks, alluded to what he called the impartial administration of the law, evidently with the view of leading the House to believe that the present Government, as regards the Law of Processions since the Act of 1850, had not been impartial in their administration ; and he alluded particularly to the case at Gilford near Belfast, and to the recent O'Connell procession in Dublin. Now, I should like to refer to the course of legislation as regards this subject. It was referred to by the hon. and learned Gentleman, but one or two particulars were omitted which it may be as well to supply. It is perfectly true that before 1832 the law in Ireland was as the hon. and learned Gentleman stated—that is, before 1832 a party procession having a tendency to break the peace was considered a misdemeanor at common law ; but the magistrates had great difficulty as to the course which they should pursue, and the question which rendered the interference of a magistrate so difficult was that as to the precise moment when these meetings became illegal, the magistrate should have the oath of an informer declaring his apprehension that a breach of the peace would ensue; and even when that oath was obtained the magistrate had to exercise his discretion lest he should interfere with an assembly that was perfectly legal, or should admit a meeting to continue which was illegal. That being so, the Government of that day—Lord Derby being then the Whig Secretary for Ireland—introduced a measure in 1832, and that measure the hon. and learned Gentleman would have the House to infer was directed against general processions of all kinds ; but the real truth is, the measure introduced by Mr. Stanley had direct reference to the Orange processions in the north. What were the remarks of Lord Derby, then the Whig Secretary for Ireland, in introducing that measure ?—

> "He acknowledged that the title of the Bill was calculated to awaken constitutional jealousy ; at the same time, in the provisions of the Bill itself there was nothing to alarm the warmest

> advocate of the most extensive political liberty. The object of his Bill was not to fetter the manifestation of political opinion in any way whatever. His Bill was directed against party processions connected with religious subjects, and calculated to maintain and prolong religious animosities, which moved with banners exciting angry feelings, and which were not unfrequently armed, ready to meet the conflicts they provoked."—[3 *Hansard*, xiii. 717.]

It is quite evident, therefore, from the discussion which took place at the time, that the object of the Whig Secretary for Ireland of that day was directly against the Orange processions in the north. ["No!"] There can, I believe, be no doubt on the subject. There had been serious rioting in the north in 1831, and the Government were therefore induced to bring forward this measure. I will not refer to the provisions of the Act—they have been alluded to by the hon. and learned Gentleman—but they are very distinctly to the point. The Act was not against processions in general, but against those which celebrated or commemorated festivals, anniversaries, and political events connected with religious and other differences. What was the course which the House took on that occasion? Mr. O'Connell was then in the House, and he most violently attacked Mr. Stanley, maintaining that if the magistrates were not partisans the law was sufficient to down these processions, and complaining that the Government allowed them to neglect their duties. As regards the Orange processions, he mentioned a curious fact:—

> "They were for many years subject to no kind of jealousy with the Catholics; on the contrary, in the year 1782, the first volunteer corps which fired a salute before the statue of King William III. in Dublin was the Irish Catholic Brigade, commanded by the Marquess Wellesley. So far from any jealousy being entertained with reference to the events commemorated on that occasion, there was not a Catholic who did not rejoice to reflect that King William succeeded and that King James was defeated. There was not a Catholic who did not hold the character of the former in the greatest respect, and regarded the latter with the greatest and most sovereign contempt; therefore, there was no rational ground for these processions being considered as an insult to the Catholics."—[3 *Hansard* xiii. 1038.]

It is, therefore, quite evident—as I put it to the House—that the object of what was done was to put down the Orange processions in the north of Ireland. The late Sir Robert Peel also spoke in support of the Bill, and perhaps I may be allowed to quote a few lines of what he said on that occasion. He said—

> "To celebrate the battle of the Boyne and the birthday of King William would have little effect in this country; but the battle of the Boyne was commemorated in Ireland with the view of celebrating the defeat of the Roman Catholics. There could be no other object in view, and he therefore most anxiously wished that this source of irritation should be put an end to."—[3 *Hansard*, xiii. 724.]

I have therefore, I think, clearly shown that the impression of Parliament at that time was that the measure was, in truth, directed against the anniversary celebrations of the Orange party in the north of Ireland. As was justly stated by the hon. and learned Gentleman, that Bill was renewed several times. It continued in force for five years, but it was renewed in 1838, and again in 1844. The hon. and learned Gentleman, however, fell into a slight error in saying that the Bill ceased altogether in 1844. It certainly was not renewed after the Government of Sir Robert Peel, but in the latter year Sir James Graham, then Home Secretary, in reply to a question as to the intentions of Government with reference to the expiring Act of 1832, stated that—

> "Judging from the experience of past years, he had reason to hope that the Protestants of the north of Ireland would, on the approaching anniversaries, abstain from processions as they had so wisely done for several years past . . . He was happy to say that Government, under all the circumstances, felt justified in limiting the duration of both these Bills (the Secret Societies Act, and the Orange Procession Act) to the 31st of August, 1845."—[3 *Hansard*, lxxvi. 137.]

It was, therefore, in 1845 that the Bill introduced by Lord Derby in 1832 finally ceased. The hon. and learned Gentleman referred to the renewal of the Act in 1850, but he omitted altogether to state the reasons why the Act was then renewed. In 1849 some most unfortunate occurrences had taken place in the north of Ireland. There was the unhappy conflict at Dollybrae, in which lives were lost, and in 1850 the Government of Lord John Russell felt bound to consider whether it would not be well to renew the operation of the Bill of 1832. The Government of 1850 renewed the Act, but there was this difference between the Bill of 1850 and that of 1832, that whereas the Act of 1832 was specially directed, as I have said, against celebrations of anniversaries by the Orange party in the north of Ireland, the Bill of 1850 had a more general effect. The Act declared that all assemblies of persons in Ireland meeting and parading together, or joining in procession, for the purpose of celebrating or commemorating any festival, anniversary, or political event, connected with any religious or other distinctions or differences between any classes of Her Majesty's subjects, or of demonstrating any such religious or other difference or distinction, and who shall bear any firearms or other offensive weapons, or any banner, emblem, flag, or symbol, the display whereof may be calculated or tend to provoke animosity between Her Majesty's subjects of different religious persuasions, or who shall be accompanied by any music of a like nature or tendency, shall be and be deemed an unlawful assembly, and every person present thereat shall be and be deemed to be guilty of a misdemeanor, and shall, upon conviction thereof, be liable to be punished accordingly. Now the House may not know—and I say it by way of parenthesis—the House may not know what the music referred to is. I have therefore to make, under the authority of the right hon. and learned Member for the University of Dublin, a very curious and interesting statement of what that music is. The right hon. and learned Member for the University of Dublin was not always what he is now. He once was a man, I will not say with more liberal notions, but he certainly took different views of things from what he does now. The right hon. and learned Gentleman was counsel for a man named Duffy. Duffy was tried with O'Connell, in 1843, and the right hon. Mr. Whiteside was his counsel. Mr. Duffy was the proprietor of the *Nation* newspaper. Mr. Whiteside was then justifying the meetings that took place for the repeal of the Union, and compared them with the Chartist meetings in England, which he also espoused. [Mr. WHITESIDE: I deny that.] The speeches and the other proceedings of that trial are contained in a volume published by authority, and I will just quote a few remarks made by the right hon. and learned Gentleman. There had been at some of the demonstrations a temperance band which was disapproved by the Attorney General of the day, afterwards the present Master of the Rolls in Ireland. Well, the right hon. Gentleman said—

> "I shall now call your attention to two or three circumstances in relation to these meetings. The first peculiarity connected with them is the attendance of the temperance bands. The Attorney General (now the Master of the Rolls), T. C. Smith, must have a very inharmonious turn of mind if he objects to the Irish people seeking so innocent an amusement. I say that it is commendable in them to do so, although I cannot say that these temperance bands are very harmonious. But did the bands play party tunes, like the bands in the north of Ireland? The good and loyal music which they play is 'The Protestant Boys will carry the Day,' 'The Boyne Water,' 'Down, down, Croppies, lie down.' These are the only loyal tunes in the north; they despise all other music, and many a broken head and black eye were the result of not joining with the loyal bands who play these loyal tunes. They never play 'God Save the Queen' there at all, and because the temperance bands play it the Attorney General says it is rank treason. I never heard of a fouler or darker conspiracy to murder harmony."

Now, it is such music as that, it is these "loyal tunes" which lead, as the right hon. Gentleman said, to broken heads and black eyes, that the Act of 1850 was intended to check; and I think you will allow it was very necessary and desirable to put a stop to occurrences which produced such serious breaches of the peace. The Act remained in force till 1860, and the hon. and learned Gentleman opposite omitted to refer to the measure passed in that year. [Sir HUGH CAIRNS: It had no application to my question. It had an application to the meeting in Dublin.] In speaking of the procession in connection with the O'Connell monument the hon. and learned Gentleman alluded to the flags with harps upon them and no crown, and led the House to believe that it is against the law of the land to carry a green flag. The hon. and learned Gentleman, therefore, implied that those flags were party emblems. He taunted me with having said in the House that I thought green was the national colour. I am still under that impression, and am not aware that when any one wears a green badge he is necessarily to be deemed a rebel. At any rate, I know that when Lord Eglintoun came to Ireland his hat was covered with green ribands, and he had a shamrock in his buttonhole. And yet the hon. and learned Gentleman said, that because the Government had allowed green flags to be carried they were much to blame. In 1860, in consequence of some very unfortunate occurrences in the north of Ireland, it became absolutely necessary to increase the power of the Government in regard to processions, when they were accompanied by banners and flags. Accordingly, in that year, after an animated debate, the Government succeeded in passing an Act for five years, which it will this year be my duty to propose to the House, either to renew or to abandon as may be determined. In order to show how necessary it was that such a measure should be adopted, I will mention one or two incidents which happened in the north of Ireland. In Londonderry a flag was hoisted in the cathedral in defiance of the Bishop. It was removed by one of the curates, and the doors of the edifice were locked. The mob, however, effected an entrance by a back way, and more flags were hoisted. The curates were sent to remove them, but they were opposed and obliged to retire; and then the cathedral bells were rung. In County Fermanagh, at Enniskillen, Ballymena, Lisbellaw, Tempo, and elsewhere, similar occurrences took place. Fortunately, the Act was employed to prevent a repetition of these acts, and the law is now very stringent concerning them. The hon. and learned Member for Belfast accused the Government of not behaving impartially in regard to the demonstrations in the north and those at Dublin. He made especial reference to the conviction of a couple of small boys, as he called them, at Gilford, in the north.

SIR HUGH CAIRNS: No, that was at another place. I mentioned six men at Gilford, who were described in the petition as married and having families.

SIR ROBERT PEEL: Ah, but people marry so young in Ireland that they might be boys all the same. In fact, it is impossible to know in Ireland exactly what a boy is. I was talking to a gentleman in Dublin who said, pointing to some one who passed, "What a fine boy that is." "Why," I exclaimed, "he is an old man." "Oh!" said my friend, "he is a boy for all that, and a broth of a boy." To return, however, to the processions in 1861, 1862, and 1864. The hon. and learned Gentleman had particularly referred to the procession at the M'Manus funeral in Dublin in 1861, and to the procession to the O'Connell monument in 1864. He had very truly said, there was no impropriety in raising a monument to one of the greatest and most patriotic Irishmen who ever lived; but he wants the House to believe that the Government did not act in accordance with the law on that occasion. I have taken much pains to inquire into the subject, and hold in my hand the opinion of the present Attorney General for Ireland, which, as he has not a seat in the House, the House will, perhaps, permit me to read. The Attorney General says—

"With respect to the procession which took place in Dublin upon the occasion of laying—"

SIR HUGH CAIRNS: I hope the right hon. Gentleman will allow me to interpose on a point of order. I will not offer any objection, as the Attorney General is not here, to the reading of the opinion he has given, but I should think the House would like to hear also the statement of facts on which that opinion was based.

SIR ROBERT PEEL: The facts were contained in the reports of the police, which at the time of the occurrences were coming in every half hour and hour, and which were naturally submitted to the Law Officers of the Crown for their advice as to the course the Government should pursue. The Attorney General's opinion refers to what took place in 1861, 1862, and 1864.

MR. WHITESIDE: I rise to order. I always understood that the opinions of the Law Officers of the Crown given to the Crown were private communications. I have known them to be asked for on many occasions, and always refused by the Government. I have known Gentlemen in this House ask for police reports and the opinions of counsel; and I ask you, Sir, whether this opinion ought to be read to the House?

VISCOUNT PALMERSTON: As a matter of Order I do not apprehend that there is anything contrary to the Rules of the House in reading or quoting any opinion of the Law Officers. It is a question of discretion on the part of the Government, not one bearing on the Orders of the House. There may be occasions when they may be properly read. As a general rule, no doubt, they are not laid before Parliament, and for this reason, not because it would be against any Order of the House, but because the Law Officers would be more cautious in expressing an opinion if they knew that it was to be laid before Parliament and the public. But, as I have said, there may be occasions, like the present, when it is convenient and proper for the convenience of the House that such opinions should be made known.

MR. SPEAKER: The Orders of the House are not in any way involved in this proceeding.

SIR ROBERT PEEL: I apprehend that our object is the elucidation of the truth. The hon. and learned Gentleman has charged the Government with not acting in a legal and straightforward manner. I wrote to the Attorney General for Ireland, and he has sent me his opinion in order that I might submit it to the House, if I thought fit. It is not, therefore, to be considered as an ordinary private opinion given to the Government of Ireland, and I think it will help us to arrive at the truth if it is read. The Attorney General says—

> "With respect to the procession which took place in Dublin on the occasion of laying the first stone of the O'Connell monument, I have to observe that I carefully read all the police reports which were submitted to the Government in reference to that procession, both before it took place, during its progress, and upon its termination, and I was then, and am now, clearly of opinion that there was no ground whatever for treating it as a party procession within either the Party Procession or Party Emblems Act, or as an assembly illegal at common law. There was no display of party banners or emblems."

You will see this scarcely coincides with the statement of the hon. and learned Gentleman that green is a party colour—

> "There were no party tunes, no firearms, the meeting was peaceful and orderly, and no person ever swore, or even tendered an information, that 'it was calculated to create animosity between different classes of Her Majesty's subjects, or to lead to a breach of the peace,' in the language of the Act. The executive Government, therefore, did not, and could not, legally interfere to stop the procession; they took all proper measures to prevent the consequences which are always likely to arise from the gathering of a great crowd. The result was that there was no breach of the peace, and no injury was done to person or property. The occasion was a lawful one, and unless every great crowd which assembles to welcome a public character, or to celebrate his memory, is to be pronounced unlawful this crowd could not be."

SIR HUGH CAIRNS: I must rise again to a point of Order. I understood, and I believe the House understood, that the right hon. Baronet was going to read the opinion given by the Law Officer of the Crown for the guidance of the Government. It now appears, however, to be merely a statement made for the purposes of this debate. May I ask, Sir, whether the right hon. Gentleman is in order?

MR. SPEAKER: Whether the document is or is not such as the hon. and learned Member describes, the question does not in the least degree involve a point of Order. If a document is read in this House it may be called for, and made a public document, but its production in this debate is not against the Rules of the House.

SIR ROBERT PEEL: It is quite evident that the hon. and learned Gentleman is actuated by some motive in the course he has adopted of endeavouring to prevent the reading of the document. I am only desirous that the truth, and nothing but the truth, should be arrived at. When I asked the Attorney General for a statement which I could present to the House, and he sends me the one I am reading, it surely must be the wish of the House that that statement should be known. I look upon it as a fact to be noted, that an enormous assembly like that should last for three hours and a half without a breach of the peace taking place. The Attorney General thus continues—

> "I have further to observe that the Government, by my advice, adopted precisely the same course with respect to this procession as they have always done with respect to Orange processions in the north." [Namely, complete impartiality.] "The Government has never taken upon itself"—

No, not even the Government of Lord Derby. [Sir HUGH CAIRNS: They brought in a Bill.] Yes, at the fag end of the Session, when, of course, it could not be carried—

> "The Government has never taken upon itself to prohibit a procession except upon sworn information of the strongest character. The uniform course is to direct the constabulary to attend in sufficient numbers to prevent a breach of the peace, to take down the names of the parties attending, and to summon them in case there should be any violation of the law. Such were the instructions given in the case of the O'Connell procession; but as the police reported that there had been no violation of the law, and as no private individual ventured to swear that he believed there was, it is plain that the Government could have taken no further action; could not have instituted any prosecution, and it is equally clear that they would not have been justified in prohibiting a lawful assembly, nor could such prohibition have been legally enforced. I may mention as a case clearly in point"—

and to this I would direct the particular attention of the hon. and learned Gentleman—

> "That upon one occasion the Government was asked to prohibit and to prosecute the usual procession of the apprentice boys of Derry. The Law Officers were consulted upon the subject, and they advised that as no information had been sworn that the procession was calculated to lead to a breach of the peace the Government could not interfere."

MAJOR KNOX desired to know who was the Attorney General for Ireland whose statement was being quoted?

SIR ROBERT PEEL continued—

> "With respect to the Catholic University procession all the above remarks apply to it. With respect to the M'Manus funeral procession, I am free to admit that it was of a very objectionable character, and for a purpose avowedly seditious, but it was managed with such apparent order and decorum that the Government did not feel that they could effectually interfere with it."

That is the opinion of the Law Officers of the Crown upon the three particular events referred to by the hon. and learned Gentleman — namely, the M'Manus funeral in 1861, the Catholic University procession in 1862, and the gathering on the occasion of laying the foundation stone of the O'Connell monument in 1864. The document I regard as a conclusive vindication of the impartiality of the Government, as it clearly shows that in the case of the 'prentice boys of Derry, as well as in that O'Connell procession at Dublin, there has been an impartial administration of the law. [Major KNOX repeated his question amid renewed cries of "Order!"] Having alluded so far to these occurrences, I will now come to the Belfast riots, and I here claim the attention of the House, because the hon. and learned Gentleman was, contrary to his usual practice, not quite aboveboard in his statements. In his remarks upon this subject he commented upon the absence from Ireland of the Members of the Government. Now, as the hon. and learned Gentleman is aware, the Belfast riots commenced on the 8th of August. [Sir HUGH CAIRNS denied that that was the time of the first outbreak.] That is a proof of the hon. and learned Gentleman's inaccuracy. It is true the Lord Lieutenant was absent. It is true that I was, and I have never ceased regretting that I should have been absent at the time, but the real truth is, that domestic matters kept me away from my duty at the moment. I have scarcely during the four years I have held office been down to my place in the country for a week together, but it must not be supposed that because my own family affairs necessitated my presence elsewhere I was therefore ignorant of what was going on. I received daily intelligence and was daily, I may say sometimes twice a day, in communication with the authorities at the Castle of Dublin, and assisted with my humble advice as far as I possibly could. But if I had been in Dublin it is not likely that I should have gone to the scene of the riots in Belfast. In case of the Garibaldi riots at Birkenhead the Home Secretary for the time being received no censure for not going to the place, nor was he on the occasion of the riots at Birmingham blamed for not taking up his quarters at the Angel Hotel in that town, nor was he, as a spectator, present at the Chartist riots at Newport. It is not, as the hon. and learned Gentleman would infer, the Government who are to blame, nor does any charge of misconduct attach to the constabulary or the military. As the hon. and learned Gentleman knows very well, the local magistrates entirely failed in their duty. That is where the shoe pinches. The hon. Gentleman shakes his head, but the Lord Lieutenant of the county himself had the boldness to assert in the town of Belfast that, if the local magistrates and the Mayor of Belfast had remained and done their duty, the thing would have been snuffed out in a few hours. It is perfectly true that the Lord Chancellor was absent at the time. There were in his case also, I am sorry to say, domestic reasons which compelled him to be away. The hon. and learned Gentleman should be very careful in throwing out these insinuations, of the Members of the Government being derelict in their duty, because he appears to imply that we were willingly absent. It is true that the Lord Chancellor was away, but my gallant friend General Sir George Brown, the Commander-in-Chief, one of the Lords Justices, was in Dublin. The only remaining Lord Justice is the Archbishop of Dublin, he with the Lord Chancellor and the Commander-in-Chief having been sworn in as the three Lords Justices in the absence of the Lord Lieutenant—and I doubt if that Prelate could have rendered the slightest assistance if he had been present in directing the manœuvres of the troops or quelling the riots. I maintain, therefore, that as the Commander-in-Chief was on the spot, the very best man was at his post. The hon. and learned Gentleman, moreover, insinuated that we were taken by surprise, and that we sent down six or seven stipendiary magistrates at the close of the disturbances, and when I said "No, no," he treated it in anything but the frank manner which I could have wished. It is all very well, but when I said that Sir George Brown was there the hon. and learned Gentleman laughed, and appeared to think that that fact was of no consequence. The real drift of the observations made by the hon. and learned Gentleman has been, by premature and inopportune remarks, to shift the responsibility from the local authorities of Belfast on whom it really devolves to the shoulders of the Government. The hon. and learned Gentleman said, that he did not intend to enter into the particulars of the Belfast riots, but he did so as fully as he thought proper for his purpose, and in a most unhandsome manner — ["Order!"]—but I will prove it—in a most unhandsome manner seemed to insinuate that the Government, by making one of the Commissioners Law Adviser to the Crown before the issuing of their Report, had endeavoured to steal a march upon what might be otherwise the impartial decision of the Commissioners. Now, I am anxious to meet all the insinuations which have been thrown out. The House will remember that there were two periods in the Belfast riots. Upon the Saturday of the first week it was supposed that the disturbances were at an end. They broke out again, unhappily, with greater violence on the Monday after, and this lasted until the next Thursday. But the hon. and learned Member for Belfast grossly exaggerated the facts. He said 1,800 of the constabulary were poured into the town of Belfast. Now, the truth is—and it is well that it should be known—that the force of constabulary sent to that town consisted of fifteen sub-inspectors, twelve head constables, and 899 constables and sub-constables—less than one-half the number mentioned by the hon. and learned Gentleman. No doubt a very large force was congregated, but a very large force was required. There was but one stipendiary magistrate at first, but afterwards in the second week of the disturbances additional magistrates were sent down, and, if I am rightly informed, two of them only arrived on the Wednesday of the second week. No doubt there were six magistrates in all there, but, unhappily, their presence was rendered necessary by the violence of sectarian animosity which prevailed in that town, and the disturbances arising out of which we had hoped had been quelled at the end of the first week. Well, now I come to the number of persons awaiting trial at the ensuing assizes for participation in those disturbances. There are twenty in custody at this moment, and there are sixty-four on bail. The hon. and learned Gentleman the Member for Belfast said there were 120. [Sir HUGH CAIRNS: I beg pardon.] Yes. [Sir HUGH CAIRNS: I said nearly 120.] But it is nearer 50 than 120. All this shows the evident tendency of the hon. and learned Gentleman to exaggeration in this matter. With respect to a far more serious question—that is, as to the appointment of Mr. Barry as a Commissioner—I was aware beforehand that the hon. and learned Gentleman was going to attack Mr. Barry in this House. I do not know how it came to be known, but things will leak out, and in Dublin I heard that the hon. and learned Gentleman proposed to attack Mr. Barry, one of the Commissioners.

SIR HUGH CAIRNS: I stated to the right hon. Baronet myself what I was going to say about Mr. Barry.

SIR ROBERT PEEL: I admit it, but I took it in confidence. [*Laughter.*] Yes, I took it in confidence. Mr. Barry wrote to me, saying that he had heard that statements were to be made by the hon. and learned Gentleman the Member for Belfast, and, therefore, he submitted to me this refutation of what has proved to be a most unfair attack by the hon. and learned Member for Belfast. "It is quite true," says Mr. Barry, "that in 1855 there was a suit instituted, with the Attorney General Keogh's sanction, by Mr. Rea against the corporation of Belfast for an illegal application of the corporate funds in purchasing lands." There was a decree against the corporation; and, in 1858, a Commission was issued to Belfast to inquire whether the expenditure was *bonâ fide.* Now, let the House observe, the hon. and learned Gentleman said that Mr. Barry was mixed up with this business. But how? And then let them ask themselves whether he was not a proper person to send as Commissioner in 1864, or whether he was to be precluded for ever from so acting simply because he had once tainted his fingers with anything connected with the corporation of Belfast. In 1858, Mr. Barry was a barrister, and was employed as junior counsel by some opponents of the corporation, but this was six years previous to the issue of the last Commission. But again, the fact had been referred to that on that occasion it was proposed in writing to the Commissioners to go into certain evidence. The Commissioners ruled that the evidence was irrelevant; a protest was handed in, and Mr. Barry left Belfast, and the Commissioners went on with the inquiry. And that is why the hon. and learned Gentleman the Member for Belfast taunts Mr. Barry with protesting in 1858 against a Royal Commission, and now, in 1864, accepting the office of a Royal Commissioner. The first Commission had no connection whatever with the riots at Belfast, or with the matters which the present Commission has to report upon. Because Mr. Barry was six years ago a junior counsel in the case referred to, is that to be considered as an obstacle to his appointment upon the present Commission, the subjects of inquiry being so wholly different? Mr. Barry's only other professional connection with Belfast since 1858 was about two years ago, when Mr. Lytte consulted him about his power of sending Mr. Rea to gaol for abusive language. Now, as to the mode in which the inquiries of this Commission were conducted:—The hon. and learned Member for Belfast would lead the House to believe that the inquiry had been most unfairly conducted, and was most prejudicial to the persons who were awaiting their trial. The hon. and learned Gentleman left out of sight altogether the fact that Mr. Barry was not the sole Commissioner, but that he had Mr. Dowse as a colleague, who conferred with him upon all matters, and acted as joint Commissioner. So far, however, from the public opinion in Belfast being against the Commission, as one-sided or improperly conducted, we have the fact that the principal member of the corporation, who took a most active part before the Commission, testified in open court to the entire fairness and impartiality displayed. The Orange, or ultra-Protestant party, brought down a counsel express from Dublin to represent them. [Mr. WHITESIDE: No!] The right hon. and learned Gentleman has been in Dublin lately, and must know the counsel I refer to—Mr. Exham. [Mr. WHITESIDE: No; I know it from himself.] I have often noticed that the right hon. and learned Gentlemen is very inaccurate upon occasions, and so I cannot implicitly trust him now; but I appeal to the hon. Baronet below the gangway whether it was not a matter of common notoriety in Dublin that Mr. Exham went down to Belfast to represent that party before the Commission. [Sir COLMAN O'LOGHLEN: Hear, hear!] He appeared there, and expressed himself to the same effect. Now, we have a numerous if not select press in Ireland. The press of Dublin represents all parties and all classes, and the Dublin papers were unanimous as to the independence and impartiality of the Commissioners. I put it to the House, then, is the fact of having been concerned years past in a litigation about corporation funds to be a disqualification for investigating facts connected with Belfast riots? If that be so, then it is remarkable that nearly all the lawyers, and even nearly all the Judges, are so disqualified. Mr. Baron Deasy, who is to try the rioters, was mixed up in the suit I have referred to. Judges Keogh and Christian were counsel against the corporation. Judge Fitzgerald, Baron Fitzgerald, and Judge O'Hagan were for the corporation. Mr. Brewster was first against and afterwards for the corporation. The present Attorney General was for, and the present Solicitor General was against the corporation. Then, I say, the objection taken by the hon. and learned Member for Belfast is unworthy of him. He knows that we selected two of the best men known for their impartiality, and whose characters were guarantees that they would do their duty fairly to all classes and sections of the community, and yet he comes forward with this paltry case against the Chief Commissioner, declaring that, because that gentleman happened six or eight years ago to be junior counsel in an inquiry before a Commission, therefore he was now unfitted to act as a Commissioner. The hon. and learned Member for Belfast says that the Commission was after all without value, as it was signed only by "G. Brown, General." The hon. and learned Gentleman knew perfectly well that when the Commission was issued not only the General Commanding-in-Chief, but the Lord Chancellor, myself, and the Law Officers were all in Dublin, and that the subject was long and anxiously considered by us, and when it was determined to issue a Commission it was signed only by General Sir George Brown, because he was the only Lord Justice who had been in Dublin during the whole period of the riots, and knew all the facts; but the Commission was approved by all the authorities in Dublin, by the head of the Government, and by the Secretary of State for the Home Department. The hon. and learned Gentleman endeavoured to make the House believe that the Commission was different from that of 1857; but such was not the case. The Commission we issued was precisely the same; but we thought, that as some years had elapsed since the Report of the first Commissioners, and as no action had been taken upon it—not even by the hon. and learned Gentleman himself, during his year and a half of office—we thought it well to ascertain whether the opinion of the Commissioners of 1857 would be confirmed in 1864. The Report has not yet been laid upon the table of the House, but I understand it will be in a few days, when it will be exposed to the critical examination that it is likely to receive at the hands of hon. Gentlemen opposite, and I think it would have been far better if they had waited until its production before they brought on this discussion.

It is undoubtedly the fact that Belfast has been long, unhappily too long, subject to these periodical ebullitions, but you cannot attribute them as arising from the acts of this or that Government. They result from circumstances which it is impossible to control, and which all public men have deplored from time to time. It is a very curious thing that this factious spirit has shown itself in Belfast, or rather in the province of Ulster, ever since 1788, and from that date until the present time Ireland has been periodically distracted by feuds which are a disgrace to a civilized and Christian community. I am not advocating the cause of either party. I deplore, as much as my hon. and learned Friend, the existence of this unfortunate spirit. The population of Ulster is nearly equally divided between Protestants and Catholics—the number of Protestants being 947,000, and of Catholics 966,000, and they still think it fitting to celebrate their rival anniversaries, which ought long since to have been forgotten. Is it right, is it fair, is it generous, that the anniversaries of the Battle of the Boyne and the 12th of July, should be celebrated and the animosities thereby engendered kept alive after the lapse of 175 years? In this country the spirit of the people is totally different, for we have, out of consideration to the feelings of others, ceased to keep up even the anniversary of Waterloo; and in Scotland, do the Highlanders and Lowlanders still celebrate Killicrankie and Culloden? No; they are too wise, too just, and too conciliatory so to do; and would to God the north of Ireland were animated by a similar right spirit. I have made myself acquainted with the progress and the wealth of Belfast, and I have been astonished that a city of so much promise should destroy its character by giving vent to such animosities as exist among its population. I hold in my hand an extract from a speech—the first delivered by Mr. Grattan in the House of Commons after the Union. He was speaking on the Catholic question, and he said—

> "I do not wish to revive in detail the memory of those rebellions to which the hon. Member has alluded. The past troubles of Ireland, the rebellion of 1641, and the wars which followed, I do not wholly forget; but I only remember them to deprecate the example and renounce the animosity."—[1 *Hansard*, iv. 917.]

I wish that feeling was more prevalent among Irishmen of the present day, and that they would permit these animosities to cool down. Mr. Grattan further adds—

> "If all the blood shed on those occasions, if the many fights in the first, and the signal battles in the second period, and the consequences of those battles to the defeated and to the triumphant, shall teach our country the wisdom of conciliation, I congratulate her on those deluges of blood; if not, I submit and lament her fate, and deplore her understanding; which would render, not only the blessings of Providence, but its invitations, fruitless, and transmit what was the curse of our fathers as the inheritance of our children."—[*Ibid.* 923.]

These words were spoken sixty years ago. Unhappily the prophecy of that great orator is fulfilled, because we see these senseless and idle animosities still going on. I do not believe them to be political animosities. I believe that a mistaken religious feeling is at the bottom of them all. Mr. Grattan further states, alluding to the various benefits conferred on Ireland by certain changes which he had been instrumental in effecting—

> "I call my countrymen to witness if in that business I compromised the claims of my country or temporized with the power of England. But there was one thing which baffled the efforts of the patriot and defeated the wisdom of the Senate—it was the folly of the theologians."—[*Ibid.* 937.]

That is the truth at the present time, it is the folly of the theologians, it is the eternal strife among the religious elements of Ireland, that prevents that country from keeping pace as she otherwise would do with the progress of this country. It is very easy, doubtless, to legislate, but you cannot legislate in a manner to counteract this disturbing cause. Macaulay has very truly said, in alluding to this subject—

> "It is far less easy to eradicate evil passions than to repeal evil laws, and that long after every trace of national and religious animosity has been obliterated from the statute-book national and religious animosities continue to rankle in the bosoms of millions."

This is precisely the case of Ireland in the present day. Happily the statute-book has been purged of all those penal laws which once oppressed the people; and, notwithstanding in their place, mild and wise laws have been passed, we see that it is impossible for the Legislature, let them do what they will, to eradicate the evil passions of violent sectarian animosities. It, therefore, only remains for us to hope that men of position and of character, like the hon. and learned Gentleman (Sir Hugh Cairns), will unite and use all their power to endeavour to smooth down this unfortunate irritation. I have endeavoured, I fear imperfectly, to follow the hon. and learned Gentleman through the various parts of his speech, particularly those regarding the conduct of the Government in issuing the Commission. The animosities at Belfast are still kept up, and we find that one party blames the Protestants and another the Roman Catholics as occasioning the late riots; but, on whichever side the fault may lie, I think no man who has made that country his study will differ from me when I say that the fault rests upon certain institutions which exist there. I am not making an attack against any one party. I am merely stating that which is truly and honestly the case. There are institutions in the north of Ireland which the leading men in the country cannot control, and I find it stated that the leaders of the Orange societies in the north have greatly deplored the outrages which have taken place and wish to put down these demonstrations. The hon. Member nods assent to that statement; but I say as these institutions cannot be controlled they ought to be deprecated, because their effect is simply to perpetuate national animosities. I say that we ought by all means in our power to put an end to these demonstrations and the institutions to which I refer, and the feelings I have heard of should be discarded altogether by a Christian country. I shall trouble the House with but one more quotation from the words of Bishop Berkeley, a most eminent Prelate of the Irish Church, who was considered, I believe, by all parties to be a most excellent and honourable man, and which are not inapplicable on the present occasion. He addressed these words to the Roman Catholic priesthood—

> "Be not startled, reverend Sirs, to find yourselves addressed by one of a different communion. We are, indeed (to our shame be it spoken), more inclined to hate for those articles wherein we differ, than to love one another for those wherein we agree. But, if we cannot extinguish, let us at least suspend our animosities, and, forgetting our religious feuds, consider ourselves in the amiable light of countrymen and neighbours."

This is one Irishman speaking to Irish Roman Catholics, he being of course a Protestant. He continues—

> "Let us for once turn our eyes on those things in which we have one common interest. Why should disputes about faith interrupt the duties of civil life, or the different roads we take to Heaven prevent our taking the same steps on earth? Do we not inhabit the same spot of ground, breathe the same air, and live under the same Government? Why, then, should we not conspire in one and the same design to promote the common good of our country?"

But I maintain, in concluding these remarks, that this is the spirit in which we have endeavoured to administer the laws of Ireland, for the common good of the country; and I fearlessly assert that there has been no desire displayed on the part of the Irish Executive otherwise than to deal out without fear and without partiality even-handed justice to all classes and sections of the community.

LORD CLAUD HAMILTON said, he had never before risen to address the House under such feelings of depression and alarm as he then did in following that most extraordinary oration which they had just heard. He ventured to say that no person occupying the important position of the right hon. Baronet, and having the grave responsibility of answering his hon. and learned Friend on this question, could be justified in adopting the tone he had done. The right hon. Baronet (Sir Robert Peel) began in a tone of levity quite unsuited to so grave a subject, and because he had not listened to the hon. and learned Member for Belfast (Sir Hugh Cairns), and had, consequently, confused two stories together, made jokes about the difficulty of telling what the term "a boy" meant in Ireland. He stood there as the representative of the Government, to answer a very grave charge—no less than that of maladministration of justice and guilty connivance with a most wanton violation of the statute which had already deluged one city with blood, and had given rise to feelings of distrust as to the administration of the law and alarm as to the future throughout a great portion of Ireland; and it was not fitting that he should reply to so grave a charge by such a speech as he had delivered. He called upon the right hon. Gentleman, instead of reading beautiful selections of fine sentiments, to act upon the noble principles which were enunciated by the authors. Had he acted upon those principles? Had he not shown that he could not meet fairly and straightforwardly the case which was brought forward by the hon. and learned Gentleman as to the procession in Dublin? Having completely shirked the main gist of that part of the question, he wound up with a sort of lecture to the North of Ireland, telling them to avoid that misconduct which, he said, was at the root of all the discord of Ireland. He asked the right hon. Gentleman next time he addressed the House to go a little more into detail and tell them whether he thought that these unfortunate occurrences originated in the North, and that that portion of the country was more disturbed than other parts of Ireland. Was he so ignorant as to think that there were larger bodies of troops and more police in the North than in other parts of the country, and that the North was the scene of riot, discord, and tumult? If so, the time which he had passed in Ireland had been spent to very little purpose. He (Lord Claud Hamilton) asserted, without fear of contradiction, that so far from the North being the scene of religious discord and animosity between different classes ever since the scourge of the famine, when the clergy of all denominations were brought into familiar intercourse at the boards of relief, and learnt to know each other's virtues and appreciate each other's good qualities, the former animosities between Protestants, Presbyterians, and Catholics had ceased, and Protestants and Catholics acted together as Poor Law Guardians, and sat together upon mixed juries in the courts of law with the same good feeling and entertaining for each other as much respect as was generally to be found among men who were engaged in the performance of public duties. The suggestion that the North of Ireland was the scene of discord and sectarian dislike among the inhabitants was an aspersion which was both unfounded and unjust. There was there less crime and less poverty, fewer soldiers and fewer police, than in any other part of Ireland; the people lived together in harmony, and in consequence of their right feeling had been blessed with greater prosperity than was to be found among their fellow subjects elsewhere. Those who originated that most mischievous procession in Dublin had incurred a very grave and serious responsibility. They had apparently reanimated political disunion, they had sought to revive and had partly revived religious and sectarian discord, and one great city had already been deluged with blood directly owing to that cause. The right hon. Baronet had entirely avoided going into the real merits of that illegal meeting in Dublin. In speaking of it he had repeatedly quoted a letter from the Attorney General. Did he mean the late or the present one? [Sir ROBERT PEEL: The present Attorney General.] He was glad to hear that, because it would have been most improper to have committed the late Attorney General to opinions prejudicial to persons whom as a Judge he might now be called upon to try. In his speech the right hon. Baronet was pleased to describe that great meeting at Dublin as a Catholic procession—as if it was a religious and not a political ceremony. That was a complete, although, of course, an involuntary misrepresentation, as he would show by the words of the chief actors themselves. There was a most extraordinary organization—drilling and marshalling of thousands of men for a purpose which certainly had not been carried out, because he gathered from the statements of those who were most favourable to the erection of the monument that no money had been raised, no design or artist selected, and that since the day on which that most mischievous meeting was held no steps had been taken towards its completion. He quite admitted, however, that considering that the constant boast of that remarkable and distinguished man, Mr. O'Connell, was that he could drive a coach and six through any Act of Parliament, there could probably be no better way of doing honour to his memory than by occupying for hours all the thoroughfares of the capital of Ireland with an illegal meeting. [Sir ROBERT PEEL: A legal meeting.] He would in a moment show by reference to better authorities than the right hon. Baronet that the meeting was illegal. He did not wish to go into the details of that great procession; but, according to *Freeman's Journal*, there were in it twenty-five bands, some thirty processions of trades with banners of every kind, and a number of religious fraternities and other bodies delegates from different parts of Ireland, forming a mass of he did not know how many thousand men, carrying over 100 banners, thousands of bannerets, and sashes innumerable—though he was happy to believe that there was not one from the North of Ireland. If these men had been seen together in the North of Ireland with a sash, a flag, and a drum they would have been seized by the police; and yet these tens of thousands were arrayed in Dublin, and were allowed to stop all the thoroughfares for hours. If this had been a religious procession, God forbid that he should have said anything about it; but he would prove that the chief actors distinctly announced that it was distinctly a political procession intended to revive the mischievous repeal agitation. Most of the mottoes upon the banners had reference to an organization for the purpose of carrying by numbers some object which was only partially pointed at, but which it was very evident was to be carried by force. Mr. O'Connell always abhorred physical force, and persistently and consistently denounced it; but in the procession of his professed admirers there were numerous references which showed that it was by it that they looked to attain their object. One motto was, "Stand together brothers all." That recommended combination for the purpose of getting united action. A very favourite figure was that of Brian Boru, or Borhoimbe, who was not a canonized saint, but a great warrior. He was represented upon a green flag, with the motto, "O for the swords of former times!" Against whom were those swords to be turned? Another banner was a green flag, having upon it the picture of a man with a pike. Did not that remind us of all the awful periods of civil war in Ireland? The motto to that was also "O for the swords of former times!" [Sir ROBERT PEEL: It is a line of Moore's.] That made no difference. The implication was to invite combination for a particular purpose — and against whom were the swords to be turned? Another favourite motto was "Self legislation is the right of the nation;" and there were numerous others of the same character all tending to invite combination and union as against a common enemy, and to provoke animosity. Then came the tunes played on the occasion, of which there were several, that principally played being "Garryowen," which was notoriously a party tune, and which was calculated to arouse the feelings of one section of the Irish people, as the tune of "Boyne Water" was said to be those of another. But he would show from the speeches that this great meeting constituted an assemblage convened for a political object, and that to revive that mischievous agitation for the repeal of the union, which had already done so much detriment to Ireland. At the meeting one of the leading men—a magistrate himself, and who ought therefore to be one of the last persons to glory in the part he took on the occasion—said, as reported in the *Freeman*, speaking of the monster meetings held by O'Connell—

> "That the dearest wish of that distinguished man's heart—the legislative independence of his country—yet remained to be inscribed on his shield."

It was clear from those expressions that the Lord Mayor of Dublin, who used them, would be glad to see something like a renewal of those monster meetings which had been so wisely discountenanced. At the *déjeuner*, Mr. P. J. Smith spoke as follows:—

> "There was a higher motive and a nobler spirit animating that meeting; it might have been read in the crowded gathering, in the laurels and rosettes, all green. They wanted to be united men, who, if boldly led, would go to some decided end."

He proceeds to praise Smith O'Brien, "one of the truest patriots he ever knew;" proposes a monument to him, as "they should honour all their patriots." Another speaker, Mr. C. J. Carrick, of Limerick, said—

> "He came from the old city of Patrick Sarsfield, and was only anxious for the hour when they could strike a blow for Ireland."

They were longing to strike a blow for Ireland—against whom? Against their peaceful fellow-countrymen who did not take the same view that they did? Did the right hon. Baronet mean to tell him that that was not language calculated to excite alarm? But turning from lay speakers to the clergy, he found that the Bishop of Ross said—

> "I am firmly resolved to use every influence that I possess as a bishop to further the principles of O'Connell, and to teach my flock that they ought not to be slaves, hanging on the tail of England, or on the Legislature of the Saxon, but to take the position of freemen."

Was not that a proof that the Bishop had come to the meeting, not as a man of religion, but as a politican? Then came the Archbishop of Cashel, who said, "the men of Ireland never will be slaves," an announcement which was received with immense cheering. It was perfectly clear from the words he had quoted that the men who took a leading part in that mischievous proceeding had in view the organization, marshalling, and collecting of forces, in order to obtain a political object; that object being, beyond doubt, to throw off the "yoke" of England. But he would now pass to the legal part of the question. He held in his hand a document which ought to have been produced before, entitled, "Instructions for the Guidance of Magistrates in Suppressing Party Processions," which had been issued by the Irish Government, and he would ask the right hon. Baronet opposite whether he had never perused those instructions, and whether he did not know that a noble and gallant Lord who had greatly distinguished himself in the service of his country abroad, but who was now settled down in Ireland, had been informed, on the part of the Government, that the instructions in question were sufficient for all purposes? He had heard the predecessor in office of the right hon. Baronet say that the words of the Act on the subject of processions were meant to apply impartially to all classes in Ireland, and the 13th of Victoria pointed out in distinct terms the offences which fell within the provisions of the statute; but from the tone of the right hon. Baronet any one would have imagined that the North only was intended.

SIR ROBERT PEEL: No, no! What I said was that Lord Derby, when Whig Secretary in 1832, brought in a measure which solely applied, in the view of the Government of that day, to the class of processions there.

LORD CLAUD HAMILTON said, the observations of the right hon. Baronet on that point might have been omitted, as they had only the tendency to mislead those who did not hear the whole of his speech. Lord Carlisle, dealing in the first instance with the Act, stated in his instructions that the parading against which it was directed need not be in military array. "Any meeting," he added, "and placing of persons so met in ranks or in any order of march, or procession, would be within the Act."

> "They (or some of the party) must either have arms or offensive weapons, or wear party colours or emblems, or have with them party flags or banners, &c.; or they must be accompanied by music 'of a like nature and tendency,'—that is, playing party tunes or singing party songs. An assembly of persons meeting and parading, or joining in procession under any one of the foregoing circumstances, falls within the meaning of the Act."

Such meetings or assemblies with music and without flags, or with flags and without music, came within the statute, and the persons taking part in them were liable to a prosecution and punishment. In the circular of Instructions the justices of the peace were called upon to act for the suppression of such illegal processions. Now, it had been notorious for three weeks or a month before the event that these illegal proceedings were to take place in Dublin; and although the Lord Mayor, the chief magistrate of that city, had marched at the head of those twenty-four bands, which played those notoriously party tunes, no step had been taken to indict him. Was that an impartial administration of justice? If such an administration was to be the rule in Ireland, surely some action ought to be taken in this matter. The right hon. Baronet the Home Secretary had something to do with the administration of the law, and he hoped the right hon. Gentleman would explain why he had not interfered to prevent such an assemblage or to prosecute those who had taken part in it? The Instructions to which he was referring the House had been issued from Dublin Castle by order of the Lord Lieutenant, for the guidance of magistrates all over Ireland. The magistrates in the north of Ireland had acted on them, and had carried out the statute. As a magistrate and a grand juror he felt it his duty to put the law in force, and to punish by fine and imprisonment persons engaged even in cases of comparatively small assemblages. But what did the Instructions say in regard of assemblages of more than twenty persons?—

> "A more prompt course should be taken in the case of processions formed of greater numbers or having any arms. The parties assembled are guilty of a misdemeanor under the first section of the Act; the assembly is unlawful, and every person engaged in it is liable to prosecution by indictment. It is, therefore, competent to any magistrate at once to issue his warrant on the spot to apprehend them, or any of them, with a view to their being made amenable to justice. Those with arms, or carrying banners or other emblems, or drums, should in such cases be at once arrested."

The magistrates in the North of Ireland interpreted the statute and the Instructions from the Castle in the way, as he thought, they ought to be interpreted, and punished offenders; and yet impunity was given in the capital of Ireland to persons whose very positions ought to teach them the necessity of obeying and upholding the law. If the parties to the Dublin processions were not to be punished there ought to be an investigation into the cases of those who had been punished in Ulster, with the view of giving them compensation. But in addition to the Instructions issued to the magistrates, he held in his hand a document sent all over the North of Ireland, six weeks before this illegal meeting in Dublin, by the authority of the Inspector General of the whole of the constabulary of Ireland. This was a cautionary notice, and he should like to know whether its circulation had been confined to the North of Ireland. It was as follows:—

> "Cautionary Notice.—By the 23 & 24 *Vict.* c. 141, any person who shall publicly exhibit or display upon any building or place, or who shall wilfully permit or suffer to be publicly exhibited or displayed, any banner, flag, party emblem, or symbol, or who shall publicly meet and parade with other persons, or play any music, or discharge any cannon or firearm in any public street, road, or place, if such acts are done wilfully, and knowingly, in such a manner as may be calculated or

tend to provoke animosity between different classes of Her Majesty's subjects, and lead to a breach of the public peace, is guilty of a misdemeanor, punishable by fine and imprisonment. All persons are hereby cautioned to abstain from any breach or breaches of the above recited Act. Strict orders have been given to the constabulary to take down the names and residences of all offenders, in order that they may be proceeded against as the law directs. All drums, fifes, banners, emblems, or symbols, and fire-arms, brought out and used on such occasions, are liable to be seized.—HENRY JOHN BROWNRIGG, Inspector General of Constabulary. Constabulary Office, Dublin Castle, 21st of June, 1864."

According to a letter read by his right hon. Friend the Chief Secretary for Ireland, the Attorney General had received no information on the subject of the illegal assemblage in Dublin ; and how was that? If the Instructions which he had just read to the House had been issued to the constabulary generally, why had they not obtained the necessary information in Dublin? There was no use in eloquent speeches about the pacification of Ireland. What alone would pacify that country was a well-founded assurance that justice would be impartially administered. He did not justify the shedding of blood. God forbid! But he asked the House whether the fact of persons being put in the dock and punished in the North of Ireland for offences which were allowed to be committed with impunity in other parts of that country, was not calculated to inflame the people of Ulster with a burning sense of injustice. He had known a charge under the Act to be brought against some men and boys in a part of the country where the majority of the constabulary were Roman Catholics. The men and boys were charged with having walked in procession and played fifes, but without exhibiting flags. In reply to the magistrates the police stated that the accused had conducted themselves with good temper, and offended no one; but the charge was made in obedience to the general orders issued to the constabulary. He had the permission of Lord Longford to read the following letter, which he had written for the purpose of ascertaining how matters really stood with respect to these processions :—

"Pakenham Hall, August 22, 1864.

"My Lord,—Having observed that a party procession, to all appearance illegal, has been permitted to take place in Dublin, and having observed that similar processions have been prohibited elsewhere, I have the honour to request that you will obtain from the Irish Government instructions for the guidance of magistrates, whether the law for the prevention of party emblems and processions is still in operation, or whether it is only to be put in force with reference to any particular portion of the community.

"LONGFORD.

"To the Lord Castlemaine, Vice Lieutenant, county of Westmeath."

To a letter, enclosing the one he had just read, Lord Castlemaine received this reply—

"Dublin Castle, Sept. 9.

"My Lord,—I am directed by the Lords Justices to acknowledge the receipt of your Lordship's letter of the 27th ult., enclosing one addressed to your Lordship by the Earl of Longford, and to state that the magistrates of Ireland, who in every district receive from the Government the statutes of the realm, cannot need to be informed that the Acts for the prevention of party processions and emblems are still in operation and apply equally to every section of the community. I am further to inform your Lordship that definite instructions with reference to those Acts and the mode of their administration have already been given to the magistracy in those counties in which party processions and the exhibition of party emblems have prevailed, by a circular dated the 22nd day of June, 1861."

In reference to the observation that those Instructions had been sent to the magistrates in those parts of Ireland in which party processions &c., had prevailed, he again asked was it intended that the law should be carried out in one part of Ireland and not carried out in the other parts of that country? "I am to observe," the letter went on to say, "that these Instructions are ample, precise, and sufficient for the guidance of every magistrate." Every one must agree in that; the Instructions were so ample and precise that there could be no doubt the Act had been violated by every one who took part in the procession; "and their Excellencies," it continued—

"do not consider that any new instructions for that purpose are required. Their Excellencies are not aware that any party procession or exhibition of party emblems has taken place in the county of Westmeath, and I am to add that if the law has been violated by the procession in Dublin, to which the Earl of Longford has thought fit to refer, the Irish Government would have been prepared to enforce it, and endeavour to visit its violation with the proper legal penalties; but no information whatever was at any time laid before the Executive in Dublin, which would have warranted it in dealing with that procession as a violation of the Acts adverted to."

He had pointed out that it was the duty of the police and the magistrates to report the case; and yet here were their Excellencies stating that they had got no information, although the capital town of Ireland had been blockaded—he might say besieged—for eight or nine hours. Unless some fair answer were given on this point, there must be an inquiry as to whether these same Instructions had really been issued for the guidance of the Dublin police and magistracy. If not, to allege that justice was impartially administered was a mere mockery. The close of the letter betrayed some annoyance at the manner in which the case had been taken up—

> "Their Excellencies feel bound to state that there do not appear to them to be any grounds for the assertion put forward by the Earl of Longford that the procession in Dublin was a party procession. Their Excellencies are wholly unaware of anything which justifies in the least degree the assumption, both in your Lordship's letter, and in that of the Earl of Longford, that the Irish Government is not prepared to support the magistracy in impartially and fearlessly carrying out the Acts of Parliament, and they cannot but regret that such an assumption should have been made by persons of your Lordship's eminent position."

He asked any impartial Englishman to say, after the statements he had read, whether it was possible to believe that the law had been impartially administered. A sensitive observant people like the Irish would not fail to notice that there had been a failure of justice and a deviation from duty on the part of the Government in conniving at and probably encouraging an act of the most irritating nature. Mere vague assertions on the part of the Government would not suffice. Either it must be admitted that the law had been set in motion in the North under an erroneous impression, and compensation must be made to the parties who had suffered, or else it must be clearly explained why a most wanton and ostentatious violation of the law had been permitted in Dublin. The population of the North of Ireland felt much alarm at these mischievous agitations. For himself, he regarded the last that had occurred as one of the most unfortunate occurrences that had happened for years. In any case, he trusted prompt means would be taken to prevent a repetition of such occurrences which had sown alarm and discomfort in districts hitherto undisturbed by sectarian violence.

MR. M'MAHON regretted that the time of the House had been wasted on a profitless and useless discussion. Of all people in the world, the hon. and learned Member for Belfast (Sir Hugh Cairns), and those who sat on the same bench with him, ought to have been the last to revive a topic of this kind. They ought to be content with the predominance they had so long enjoyed in Ireland—they might enjoy it, and sing songs of triumph about it in Ireland, without forcing on the attention of English and Scotch, and even of Irish Members, so unprofitable a discussion as that now before the House. Gentlemen above the gangway ought to be the last to originate such a discussion. The late riots in Belfast might have been lawful, honourable, and profitable riots—justifiable according to the letter of the constitution as understood in that part of the country—those riots might have been of a different character, but whether they were proper and constitutional riots was not the question now to be considered, for it could not be satisfactorily considered until the Report of the Commissioners had been laid on the table of the House. He strongly suspected that the discussion had been forced on to forestall and destroy the genuine inquiry as to these riots, and exhaust the patience of the House for future investigation. He regretted that the noble Lord the Member for Tyrone (Lord Claud Hamilton) should have affected that these Belfast riots were a sort of offshoot of the procession in Dublin. If the Dublin procession was a violation of the Party Processions Act, why were not any of the persons who took part in it prosecuted? The Act of 1860 gave power to any person, without the leave of the Crown, to lay an indictment against any of the offenders before any criminal court in Dublin. Until some steps had been taken to prosecute those who had taken part in the Dublin procession, if it were unlawful, it was inexcusable to attempt to plead it in the House of Commons as a justification for the transactions at Belfast. He believed that all these profitless debates about Ireland arose necessarily from the exceptional and anomalous manner in which Ireland was governed. If Ireland were treated as an English county, it would not have taken twelve days to have quelled the recent riots. Suppose there were no Lord Lieutenant of Ireland, but a Home Office existed there as it did in England, would not measures have been taken which would have suppressed these riots, just as a riot in England would have been? The Preston riots were suppressed in a few days; and when the riots occurred at Bristol, the Mayor, who was alleged to have neglected his duty, was prosecuted for it. One of the allegations against him was that he had not acquitted himself well on horseback. But it was ruled from the Bench that it was not necessary for a Mayor to be a Dragoon. If, as it had been asserted, these riots were attributable to the neglect of the local authorities, the proper means would be to try them for that neglect of duty. But no; no such inquiry had been instituted, but in its place an useless preliminary debate in the House of Commons. As long ago as 1857 a Commission had reported that the disturbances in Belfast were in some degree owing to the defective organization of the police there. In every town in Ireland, except Londonderry and Belfast, the police were under the management of the Government; in these two towns they were under the control of the municipal authorities. A Commission had reported that the organization of the police in Belfast ought to be altered, and the Gentlemen opposite, who called themselves the Liberal party, and who had been in power ever since that time, were responsible for the fact that that alteration had not been made. The Government had been attempting to catch votes in that House by what they had done rather than attempting to do justice to the people of Ireland. It was the duty of the Government, if they did nothing else, to change the management of the police of Belfast. A recommendation to this effect was given in the Report issued in 1857. The Government had been taunted for not doing it, and he trusted that on the appearance of the coming Report the Government would bring in a Bill withdrawing the police from the control of the municipal corporation of Belfast. All these party displays, processions, and riots in the north of Ireland arose from one cause—the existence of the Established Church in Ireland, which only held out rewards, honours, and protection to those exclusively who believed certain theological propositions. So long there would be those in Ireland who would attempt to maintain the predominance which they had so long enjoyed. The only proper mode of dealing with the question was by adopting the voluntary principle, and thus placing all parties upon the same footing. There was another thing which the Government should do; the Government had removed over and over again gentlemen from the magisterial bench because they thought the Act of Union ought to be abolished, and they ought now to strike out from the commission of the peace all those who would not disavow any connection with the Orange Society. If this were done this Society would soon sink into such a position that it would give no further trouble.

Mr. WHITESIDE: Sir, I wish to make a few observations upon a point which has not been, I think, sufficiently considered by those who have taken part in this debate. I agree with the last speaker that some profit may be derived from the debate if we clearly understand the principles that are involved in the discussion. The clear and temperate statement of my hon. and learned Friend (Sir Hugh Cairns) has put the House in possession of the question, which is, in my opinion, one of the utmost importance to the future government of a large kingdom. It is a question which touches the privileges, or what are supposed to be the privileges, of this House. The facts that led to this question are admitted. A warrant had been issued by a gentleman who was described by the right hon. Baronet as the sole Lord Justice. Under what circumstances was that warrant issued? A sad, melancholy, and stupid riot broke out in Belfast on the 8th of August—the House will notice the date. On that day where was the Government of Ireland? I may be told that Lord Carlisle, whom we all respected for his virtues, his gracious conduct, and his admirable courtesies in private life, was at that time disabled. We understood he had resigned; at all events, there was no Lord Lieutenant. It is admitted by the right hon. Baronet, that the Lord Chancellor was absent, so that the sole Governor of Ireland was Sir George Brown. There is, not, I believe, a more gallant veteran in the British service. It is said he served under Wellington. He served in the Crimea; he was sent to Ireland to enjoy his *otium cum dignitate.* And in all Europe you could not find a gentleman more innocent of all knowledge of the nature, effect, and tendency of the warrant he issued. Let us consider for a moment what that warrant is; for I fear we have on more than one occasion addressed the Crown to issue Commissions of Inquiry, to which Commissions it was supposed the privileges and powers of the House were communicated. Our privileges are vast, but they are incommunicable. How can we communicate to a Commission, even by an Address to the Crown, the privileges we possess? We may summon witnesses, pay them, compel them to come, publish reports, and not allow any power in the kingdom to quarrel with us for so doing. But what is the authority of persons appointed as a Commission under an Address to the Crown by this House? Lord Coke has been referred to; but in the days of Lord Coke, when the principles of constitutional law appear to have been better understood than they are now upon the Treasury Bench, Commissions of Inquiry into crimes and offences were held to be void, because they wanted the warrant of an Act of Parliament, and the power did not exist even in the Crown to give these gentlemen the power they presume to exercise. This question arose in a very interesting way, when O'Connell was at the bar of Ireland. The House of Commons had just passed an Address to the Crown to issue a Commission to inquire into the corporations of Ireland. Observe what followed. There was no interference with the criminal law, there was no question of any trials about to take place, and there was no obstruction of public justice. The Commissioners, with their reporter, visited Cork, and there arose the case which is known as the case of the "Golden Loaf." It arose in this way. The Commissioners arrived and opened their court. They called upon all persons who had any accusations to make against the corporate body to come in and say what they pleased. Accordingly, a master baker, having a grievance, appeared before the Commissioners and narrated it. It appeared that some years ago a person, whom he named, was mayor of the city, and it was the custom of the bakers of the city to give the mayor a golden loaf. They, wishing him to regulate in their favour the assize of bread, presented to him what contained within it that which was acceptable to his feelings. This baker made his statement to the Commissioners, and the reporter took it down—

> "The Court: Is there anything else you have to say?—Witness: I have an instance of a £10 note slipping into the mayor's pocket from off the Board-room table of the House of Industry, and it never slipped out since."

The Mayor was absent from Cork at the time, and the first notice he got of anything before the Commissioners was the description of himself, which he read in the newspapers. The reporter who accompanied these gentlemen handed the evidence to the witness, who corrected it, and then it was sent to the newspapers. The Mayor was advised by an eminent counsel to move for a criminal information against the witness, upon the ground that he had been a party to the publication of a gross libel. The point was argued by Mr. O'Connell and Mr. Holmes, and it was said that the publication was privileged because it was a full and accurate report of the proceedings in a court of justice, or, at all events, in a court of inquiry held under a Resolution of the House of Commons, and that although the statement might be defamatory and scandalous, yet that the witness was protected, just as he would have been if the statement had been made before a Committee of the House itself. It was insisted, on the other side, that there was no power in the Crown to issue such a Commission, and that even an Address of the House of Commons would not give it any validity. The case came by appeal to England; and the Lord Chief Justice of the day, in delivering judgment, said that it was contended that a right existed to report truly the proceedings of a court of justice; but that principle was not applicable to the present case, because this was a commission of inquiry and not a court of justice; it had not the characteristics of one, but was preparatory to some ulterior measures and for the purpose of inquiry merely. The evidence was entirely *ex parte*, and the proceedings bore less analogy to those of a court of justice than to those before a police magistrate or at a coroner's inquest. If, therefore, those proceedings were defamatory they might tend to prejudice the public mind and to defeat the ends of justice if the case were brought to trial. And Mr. Justice Burton said that it was impossible to say that those proceedings took place before a tribunal which had any analogy to a court of justice, for a court of justice had authority to hear and determine cases, whereas the tribunal in question could hear merely; the Commissioners were only to inquire into certain facts; they could not give an acquittal; they were empowered to hear evidence, and that *ex parte*—not for the purpose of being communicated to the public, but of being returned to another place. He then said that anything which might inflame the public mind where a man was likely to be tried was a high crime and misdemeanour, and that to publish it was not merely unconstitutional, but illegal. Well, take another case—a case which I myself argued—I mean that of Mr. Jardine, a magistrate and a man of wealth—not like the unfortunate artizans of Belfast, who were not, however, because they were poor, to be deprived of their title to justice. Mr. Jardine was brought before a magistrate charged with having been engaged in some alleged riotous proceedings; but the charge was not entertained. He was brought up a second time, but the magistrates thought there was no case. Then the Government of the Lord Lieutenant of that day (the Earl of Clarendon), ordered a gentleman, whom I call an illegal inquisitor, to go down and inquire into the case. I deny his authority. It was illegal. Where did he get this authority? Two gentlemen arrived in a town and begin to inquire into your character, your behaviour, your politics behind your backs. Is that legal? Mr. Jardine brought the matter into the Court of Queen's Bench by applying for a criminal information against the newspaper which had published the report of the proceedings of this unconstitutional tribunal. And it was admitted by the court that if there were in consequence of the report any prejudice done to the individual there was no justification. The matter was brought before the House of Lords by one who is not only a statesman and a poet, but a good lawyer, also—I mean Lord Derby; and there was a defence by Lord Clarendon to this effect—that knowing that the inquisitor could not act without a commission of the peace, he had made him a magistrate before sending him down. But anyone acquainted with the law could have pointed out that in doing so he had acted with more cunning than candour, because the Commissioner was to act not as a magistrate, having Mr. Jardine before him on summons, but acted by virtue of his commission and under the authority of it. It was then understood that they were to have no more of this irregular tribunal. At a later period a case arose which might be in the recollection of the House, and only that gentlemen in Ireland are upon this subject quite incorrigible, I should ask the House to put an end to all dealings of this description—dealings which would not be tolerated in this country. This was the case of Mr. Balfe. Mr. Balfe had taken some part in an election—it was said that he had personated the voter, but that was not the fact. Down went a Commissioner to know whether he had done this thing. The Government had as much authority to send him down to inquire as to cut off Mr. Balfe's head, and I know what I should endeavour to do in such a case. The Commissioner, Mr. Demoleyus, was a most courteous gentleman. He went very cautiously to work, and said to the parties, "Will you consent to be sworn?" No doubt the learned inquisitor thought that the consent which gives the power of administering an oath in arbitration cases in civil matters could be brought into an inquiry such as he wished to preside over. The persons did consent to take the oath, and the Commissioner, without a jury, in the capacity of an illegal inquisitor, investigated the question of Mr. Balfe's guilt or innocence, and reported that he was innocent. The matter was brought before the House by the hon. Member who then sat for Portarlington (Colonel Dunne), and the hon. Member for Liskeard (Mr. Bernal Osborne) made one of his spicy speeches upon the occasion. The right hon. Gentleman the late Secretary for Ireland, now the Colonial Secretary, who was the offender, with that gravity that belongs to him, said on that occasion, "How can you complain? Is there not a clause in the Act regulating the constabulary which enables the Lord Lieutenant to appoint persons to administer an oath?" Hon. Members turned to the Constabulary Act, and found there—

> "Be it enacted that the Lord Lieutenant shall have power to direct the Inspector General to appoint two persons to examine into the conduct or misconduct of all persons connected with that vast force, and to administer an oath."

The argument of the right hon. Gentleman was that because the Act of Parliament gives power to administer an oath a person who had no Act of Parliament in his favour could do the same. That was the most unfortunate argument I think I ever heard from so clear-headed a Gentleman. But the right hon. Gentleman the Secretary for the Home Department flew to the rescue. I think, however, his candour forsook him on that occasion, for, even when he seems to be striving against it, I must do him the justice to say that despite all his efforts his native candour compels him before he sits down to admit what he thinks; but in this case he was obliged to admit what he believed, that there was neither law nor reason in the case.

SIR GEORGE GREY: I used no such words—I have got the words here [See 3 *Hansard*, clvi. 1102.]

MR. WHITESIDE: Would you oblige me with them? I wish to quote them correctly. I certainly understood the right hon. Gentleman then to give us a pledge that that ridiculous Commission would be the last of the series. I understood that to have been the declaration of the right hon. Gentleman. If I misunderstood him so much the worse for him and his Government, because, I venture to say, before this debate closes every impartial man will be of opinion that a more unconstitutional act could not have been done than for Sir George Brown or any other man to assume an authority which does not belong even to the Sovereign that sits on the throne. It is said that this is a matter of small importance. It is no such thing. Let me touch for a moment upon the practice of administering an oath in illegal proceedings. We passed an Act of Parliament to forbid that a magistrate or any other person should presume to administer an oath unless in legal proceedings pending before him. In the time of a Judge, never to be named without respect, for his noble character and for the constitutional principles which he always enunciated—I mean Lord Denman—a magistrate presumed to hold an inquiry and to take an affidavit affecting the character of a clergyman, and sent them to the Bishop of Exeter. This clergyman was advised to indict the magistrate, who was indicted accordingly, for administering an oath in a matter in which he had no jurisdiction. The case, known as "The Queen *v.* Knott," came before the Court of Queen's Bench; and when the counsel for the magistrate said it was a matter of small consequence, Lord Denman observed that false evidence might be given upon such an inquiry, though the parties would not be liable to an indictment for perjury; and thus a kind of mock tribunal was erected before which the characters of absent persons might be sworn away without relief; there was the semblance of a judicial proceeding without the reality. Can anything be more clear? Such was the light in which Lord Denman regarded this proceeding. "A mock tribunal!" Persons administering an oath who have no legal authority to administer it. That is the case here; and, therefore, if even this were an inquiry asked for by an Address from Parliament, which it is not, I ask what kind of tribunal is that which allows the administration of oaths without the power to punish a witness for perjury, and without the power to protect him? We have in England a beautiful system of law. We are not living under an American President, who can do what he likes. Our laws are clear and precise. I venture to think that they are the best in the world, and I desire to have them enforced as they are found recorded in the statute-book, with all proper safeguards for liberty and for character—not as they are laid down in Dublin Castle, even though stamped with the signature of that veteran soldier Sir George Brown. There is another point to be borne in mind. The courts of justice in England have, throughout a long course of time, been inflexible in punishing those who reflect upon men not yet tried. In the case of the Brighton riots some years ago an innocent man was shot by a soldier or a constable. Before the trial reflections were cast by a newspaper upon the person who had shot him. The newspaper said it seemed extraordinary that a town which, above all others, had been conspicuous for its order and tranquillity should all at once become a scene of tumult, and a place for the shedding of innocent blood. That seems moderate; but the journal in which this language appeared was brought into the Court of Queen's Bench, and Lord Ellenborough said it had commented upon the conduct of the civil power, represented the calling out of the military as unnecessary, and contained an *ex parte* statement of the facts, so that the rule for a criminal information must be made absolute. Nothing was more important, said this learned Judge, than that trials should take place without the creation of prejudice in the minds of the jury on one side or the other. In a subsequent instance, Lord Ellenborough distinguished between cases in which comments were made upon the conduct of persons where the trials were not yet begun or not yet concluded, and those in which both sides had been heard and the matter finally determined, where public comment is salutary and must be permitted. He said that every one might be questioned in a court of law, and called upon to defend his character and life, and that there could be no security for either if comments were allowed to be made beforehand, and if the prejudices of the jury were thus excited. I could multiply opinions expressed by our best Judges establishing the same principle, and in what a perfect light is our law thereby exhibited! Punish a man with hesitation—punish him severely and promptly; but, even while the arm of the law is raised to punish, convince him that you do so with impartiality, with temperance, and with justice. That has not been done in the case before us. You see what is the principle laid down by the Judges. And what is our complaint? These riots occur in August; but from that hour to the present not one of the rioters has been brought to justice. [Sir ROBERT PEEL: They could not be.] The right hon. Gentleman is mistaken, for the custom has been in all riots of this kind to issue, after a certain interval, a Special Commission. It is especially necessary in this case, because there are no winter assizes in Ireland; and the result will be that by the end of March these men will have been seven months imprisoned. Look at the hardship of that. The loose, desultory, and vague speech of the right hon. Gentleman cannot extricate the Government from the consequences of this serious state of things. For what are the facts? Two Quarter Sessions have elapsed since the riots; but, though some of the offences charged are trifling, and though gentlemen of high station sit at these sessions, which are presided over by one of Her Majesty's Counsel, the authorities would not allow one case to be tried there. Thus, no special Commission being issued, there being no winter assizes, and no trials at the Quarter Sessions being allowed, none of the prisoners can be tried till the end of March. Meanwhile, to the surprise of the world, this warrant is suddenly issued from Dublin Castle. Now, there is no use in telling me that other Commissions of Inquiry have issued. My answer is that we have complained of those inquiries; we have brought them twice before Parliament, and twice into the Queen's Bench; and we now ask whether the House of Commons will sanction the appointment of this unconstitutional tribunal, and will sanction such a usurpation as in the case before us. Refer me to the book and page of the Act of Parliament which authorizes you to institute this court, and do not answer me by saying that you can issue a Commission of Inquiry into the fisheries, or other subjects of that class. After a recital of the fact that riots had taken place, the warrant proceeded:—"We do authorize and nominate" the Commissioners to hold a Court of Inquiry; the "we" being apparently Sir George Brown. The Commissioners were to inquire into—

> "The existing local arrangements for the preservation of the peace of that borough, the management and jurisdiction exercised within it, and the amount, and constitution, and efficiency of the police force usually available there; the proceedings taken by the magistrates and other local authorities towards the prevention or suppression of the said riots and disturbances; and whether these authorities and the existing police force are adequate to the future maintenance of order and tranquillity within the borough; and whether any and what changes ought to be made in the local, magisterial, and police jurisdiction, arrangements, and establishment, with a view to the better preservation of the public peace and the prevention or prompt suppression of riot and disorder."

Now, I will adopt the hint of the right hon. Baronet, and will not read the opening statement of the learned Commissioner. It may be fancied by some of those who hear me that a Judge should hear the evidence first, and state his conclusions afterwards; but the peculiarity and the novelty here are that Mr. Barry, one of the Commissioners, begins by describing the whole affair, denounces the rioters, declares that the whole civilized world has heard of these occurrences, and, having pronounced this opinion upon the character of the riots, says that he will now proceed to hear the evidence. A solicitor next appears before the Commissioners, as he states, on behalf of forty of the prisoners; and this is the colloquy that passes. Mr. M'Lean asked, whether the Commissioners had power to examine witnesses on oath. The answer was, "No." Then, he asked, had the Commissioners power to compel the attendance of witnesses? The answer of the inquisitor was again "No." Then would a witness who stated an untruth be liable to proceedings for perjury? The chief inquisitor, with considerable animation, said, "Certainly not." Then Mr. M'Lean asked, whether inquiry would be made into the causes of the riots? The answer was, "Not directly," except so far as they bore upon the points of inquiry referred to in the warrant. ["Hear!"] I quite understand that cheer—of course the Commissioners did everything which they said at that time they could not do. Now this gentleman said, "Under these circumstances I beg to withdraw," and he handed in on the part of certain of the prisoners a protest to the effect that the inquiry, as conducted, was calculated to reflect upon persons about to be tried, and would be prejudicial to them by disseminating false reports of their guilt amongst those from whom the jury would be taken who would have to try them. The Commissioners received the protest, but they did not and could not give an answer to it, and the Government have given no answer to it, save in the unconstitutional and elaborate speech of the right hon. Baronet the Chief Secretary for Ireland, who appears to rest under the delusion that we in this House, who represent something in that country, should allow him, who represents nothing there, to govern Ireland in the fashion he is prepared to do, as indicated in this case. On what principles was the last inquiry at Belfast conducted? The Commission sat forty days, twenty-two of which were occupied with the case of one McCormack, who has been committed for murder. The whole of the evidence as to riots was brought before the Commissioners in the case against that man. If the Report to be laid on the table contains the same statements that have been communicated to me, they will be read with great pain. The Commissioners asked whether the details on which the counsel was entering were important, and the skilful *Nisi Prius* lawyer replied that they would be useful to show the time when the military came up. That was not it; but the object was to prejudge the case with respect to what was described as a brutal murder, but which, when the accused man has the opportunity of being heard, will receive a very different colour. The Commissioners after hearing numerous cases of assaults gave notice that they would not give any attention to anything but specific charges, so that the persons charged might have the opportunity of appearing before them and rebutting the accusation. What is that but trying the case? The evidence was not on oath, perjury could not be assigned, and charges might be made behind a person's back. This is not English law, yet it is justified by those who boast of being the champions of English freedom in this country. Will you tell me how the accused man, who is in prison, could appear before the Commission? He would be very glad to remove from the place where he is. The man, McCormack, is charged with murder under these circumstances:— He went to the police-court two months before to look after a friend's case, and while standing there an inquiry was made whether an informant could identify a person accused. At the request of the magistrates a number of persons were placed in a row, and the man I have referred to made one of the number. The informant looked at the persons in the row, and said that none of them were in the riot. The man went back to his work in September, and in November he was arrested on the information of the very same person who had failed to identify him before. The man applied for bail, his master, who fully believed his innocence, offering to become surety for him to the amount of £500. An application to bail was made in the Irish Court of Queen's Bench, but it was resisted by the Solicitor General, on the ground that as on the information he was charged with a positive crime, they were bound to keep him in custody, and the consequence was that he was now in prison awaiting his trial for murder, and the Court of Queen's Bench felt bound to detain him in custody. If, however, the information I have received be true, not five minutes will elapse after the learned Judge's charge before the jury will acquit him. I do not blame Her Majesty's Government for that, because the law is against them; but what I do complain of is that the right hon. Baronet does not appear to conceive that it is the publication of the matter which reflects on the man before he is tried, and hearing his case behind his back. Well, the Commissioners at last said that they would not hear a case reflecting upon a person unless the man so reflected on had the opportunity of appearing and answering the statements against him. But they had no right to demand an answer or to enter into any specific case, and every step of this proceeding shows the value of our constitution in not allowing new-fangled inventions to grow up, and in providing that persons shall be tried according to the good old practice, according to which the court has the power to hear, to determine, condemn, or acquit. Many years ago a Commission was issued on the pretence that it was necessary to inquire respecting the police force of Belfast. I recollect hearing a gentleman—a merchant—describe the town of Belfast and its police force. When my friend first knew the place it had only 25,000 inhabitants, now it has 140,000; and it was, therefore, contrary to common sense to suppose that a police force which was adequate at the first period would be sufficient when the population was so much increased, and numbers of persons have poured into the town, some of them being restless and ill-behaved. The police of that time only carried big sticks, and not arms; they appeared in the market-place, chased the little boys, and preserved the peace of the town; but it is quite evident that will not do now. That naturally led to the inquiry into the state, condition, and efficiency of the police force of Belfast. Well, the Commissioners of 1857 investigated the subject, and reported that

> "these matters lead us to believe that in the constitution of the police force there are serious errors calling for immediate remedy, and to recommend that a total change should be effected in the mode of appointment and the management of the local police of Belfast."

They add, at the end of the Report, that they wish that two Roman Catholic gentlemen should be added to the police of the town. The very first thing done by the Lord Chancellor of Ireland under Lord Derby's Government, was to offer the commission to two Roman Catholic gentlemen, and the thanks of the community were given for the measure so adopted. The next step taken by Lord Derby's Government was to introduce a Bill in reference to the formation of the Belfast police; and on the 4th of June, 1858, Mr. (now Judge) Fitzgerald stood up on the floor of this House, and said that the late Government had appointed a Commission to inquire into the causes of the outrages, and that those gentlemen had reported a state of facts that would startle the House; and they said that the police force was plainly insufficient to protect the town; that it was the intention of the then Government to have proposed legislation in reference to the subject, and especially as to the police arrangements of Belfast, which were undoubtedly in a very unsatisfactory state; and he said that he did not think that the Government would do their duty to the people of Belfast if they left the police in that condition, and my noble Friend the then Secretary for Ireland (Lord Naas), replied that a Bill dealing with the police of the towns of Ireland generally was in preparation, and that when it should be seen he thought that all the wishes of the hon. Gentleman would be fulfilled. [See 3 *Hansard,* cl. 1535.] Now, any hon. Gentleman referring to the report of the then head of the constabulary in reference to the Belfast police will see that some valuable suggestions of that officer were embodied in the Bill which the Government of Lord Derby introduced. [Sir GEORGE GREY: Not before July.] Better to do it in July than not do it at all. It is easy to object, but not so easy to perform. That Bill was brought in, and it was opposed by the hon. Gentlemen now sitting on the Ministerial Benches. My right hon. Friend, then the Secretary of State for the Home Department, had approved that Bill, and gave us his assistance in preparing it, not thinking it unworthy of his position to visit us in Ireland for the purpose. If that Bill was wrong in its details, why did you not correct them? It was founded on a report and designed to meet a crying evil demanding an immediate remedy; and why did you not, when your own Attorney General admitted it would be a failure to leave matters as they stood, bring in a measure that would have prevented a repetition of those disgraceful riots which the Commissioners feared would break out again if the police force were not remodelled? The Bill which we brought in was not a party measure, but one of a wise and prudent character, intended to preserve the peace of the country; and when we are asked why we did not carry it? the answer is, because of the unjustifiable opposition you offered to it. But I acquit the right hon. Baronet the Chief Secretary of all blame or even knowledge as to that, for at that time he did not occupy his present position, and the best possible defence I can make for the right hon. Gentleman, and I do it in all sincerity, is, that his mind was a perfect blank upon it; he had not then been concerned with Irish affairs. Sir, I was surprised to hear hon. Members below the gangway applauding the right hon. Baronet while he was trying to vindicate the policy of this unconstitutional and inexpedient Commission. What would the hon. Member for the county of Longford (Mr. O'Reilly) think if, while his proceedings at the election for the county which he represents were about to be inquired into, before he had an opportunity of being heard in the House, a Commission was sent down to Longford to investigate his conduct. [Mr. O'REILLY made a remark which was not heard.] He would remind the hon. Gentleman that a bad precedent, even though set against those from whom you differ to day, may be set against yourselves to-morrow, and you may yourselves suffer from the mischievous and unconstitutional doctrine that you have sanctioned. What would he have said when O'Connell was on his trial if, before he was tried, a Commission had been sent down to inquire into the nature of the riots, the nature of the assemblies, and the nature of the meetings he summoned to be held? He would have been amongst the loudest advocates to say the prisoner ought to be tried fairly and according to the Constitution — not by a Commission issued alike against law, precedent, and the Constitution. Beware how you sanction such things. Ireland is our country, and if it is to be governed by English law the sooner we have done with it the better. That law is a perfect and wise system when it is not marred and perverted by these mischievous innovations. Let hon. Gentlemen, then, not be too elated with the result of this Commission, even though it was founded on the high authority of Sir George Brown. The right hon. Baronet began by complimenting my hon. and learned Friend upon the moderate tone in which he had introduced this serious constitutional question to the notice of the House ; but by a strange inconsistency he had not gone far before he began to treat my hon. and learned Friend's speech as a very intemperate piece of declamation. I do not know that the northern blood of my hon. and learned Friend often leads him to indulge in impassioned invective ; but we may be all open to this censure ; and fortunate is it for us all that we have a Mentor so calm, so philosophic, so unmoved as the right hon. Baronet, to point out to us the path in which we should walk, and not only to instruct us about our own country, but to tutor us in that art of eloquence of which he is so great a master. The right hon. Baronet hinted that my hon. and learned Friend had mistaken the law, and said it seemed to him that the law was originally pointed against processions of a certain character more usual in the North. The right hon. Gentleman was wrong if he meant to represent that, under the 5 & 6 *Will.* IV., nobody could be prosecuted unless it was in connection with an anniversary known to the Protestants of Ireland. The Legislature was not so partial as that ; I deny it on behalf of the Parliament. It has been held that the walking in procession with banners on the 18th of December to commemorate the shutting of the gates of Derry, or to celebrate the return of Daniel O'Connell to Parliament, were offences against the Act of William IV., and certain funerals were held to be instances of the same thing. But the law which is now in force is as clear as daylight. I do not wish the House to think that I complain of Parliament for enacting this law, still less of the Judges for enforcing it. Because if you choose to pass a law declaring that nobody in Ireland is to sneeze, it is the duty of the people to try and obey it, and you must send everybody to prison who is seen committing that illegality. If you pass a law declaring that no processions shall take place, the Judges are bound to execute it—they are bound not to raise quibbles, but to do the thing which they are called upon to do. And what is that ? It is admitted on all hands that the words of the statute were adopted for the very purpose of including all kinds of processions within their scope. These words embrace all assemblies of persons who shall meet and parade together, or join in procession, or wear, bear, or have with them firearms, or other dangerous weapons, or a flag or other symbol, the display of which may be calculated to provoke animosity between various classes of Her Majesty's subjects, or who shall play music or sing any song which may be calculated to provoke animosity, &c. I will not say a syllable in favour of that law. It is very doubtful whether in a free country there ought to be such a law. I do not know why you should send to prison a man who thinks fit, it may be in his unnecessary display of feeling, to say that he rejoices in the Revolution, or in the advent of King William III., or why you should send to prison any gentleman who thinks fit to meet to commemorate the life or character of Daniel O'Connell. But that has nothing to do with my argument now. When we come to consider whether we should renew that law, I will deal with that question. But what I say, and what I charge the Government with, is that the administration of the law in their hands has been feeble, partial, and unjust. Did the House observe how we were met to-night in argument ? A novel and unconstitutional expedient was resorted to. A letter was produced, written by the Attorney General for this debate, not on any case that has been submitted to him, but to serve the turn of a distressed Chief Secretary in a difficulty. And that is the way in which the Chief Secretary goes through the mockery of representing Ireland here ! If he is obliged to get a letter from his Attorney General, on what was it founded? Did he introduce the M'Manus procession which I do not understand any counsel at the bar to say was lawful ? There were many thousands present at that ceremony, and what was their language ? Treason, and nothing more nor less. Who was Mr. M'Manus ? I saw him tried. I was concerned in the case of Mr. Smith O'Brien, and also of Mr. Meagher, of whose career as a general in America we have heard so much. They were tried for their lives; and I do not hold it to be any ground of censure against me that I did appear as counsel for those persons who, although I admit I did not agree with them, trusted their lives to my feeble advocacy. I was not prepared for the right hon. Baronet's last comments on the discharge of my professional duty. He has a right to criticize as much as he pleases what I say here; but I am not responsible to him for what I say elsewhere. He has no right to cut out the miserable quotation he gave us to-night of what I may have said twenty years ago, when I was, perhaps, not as wise as I may have since become, for I was not so favoured then as I am now with the right hon. Baronet for my instructor. But this man, M'Manus, was sentenced to be executed. He was pardoned by the mercy of the Crown; for I make bold to say that this is the most merciful country in the whole world towards those who attempt to subvert its laws and Constitution. This gentleman was pardoned and I believe he escaped to California. And when he was said to have died there, certain men holding his opinion, spoke of bringing his body back to Dublin. The first thing we heard of was that the head of his own Church forbade the body being brought into any church of the Roman Catholic religion, and also forbade any priest appearing at the ceremony. It was clear, then, that they did not approve it. These men proclaimed their intention on a given day—the Sabbath day—to perambulate the streets of Dublin in the large numbers to which I have referred — they commenced at 8,000 and swelled to 50,000—with the music which they thought suited to the occasion, and not to hold the ceremony for four or five hours after they began their march. They did not disguise their object. They had no fear of the Government. Their object was revolution. An American captain came over and made inflammatory speeches to the assemblage. The procession turned out of its way to march past the Castle of Dublin. The meaning of these acts was, they sought to overturn the existing Constitution, and to establish in its place a republic on the last American model. They avowed that perfidious doctrine which inspires every good subject with horror, "England's weakness is Ireland's opportunity." They declared that they wanted to strike down that very Government that spared them in their folly and their madness. That was the procession; it was a treasonable procession, and nothing else. These things were the origin of what occurred afterwards. "What!" it was said in other parts of the country, "are we to be punished—we who walk and do nothing, when such a procession as that walked unnoticed before the Castle?" What an encouragement to young men to adopt revolutionary opinions, and to break the law, which would assuredly bring down punishment on their heads afterwards! If you could perserve your gravity, I would read to you the statement of a prosecution which was sent to me the other day. Here is the information, the indictment, and the trial. The House heard the right hon. Baronet read from a paper that, in regard to this great procession, no information was laid before the Crown; but is it a fact that not one of the police whom we pay to preserve order and peace announced to the Government what they saw and heard? And might not the Secretary have said, "Go and lay an information against the ring-leaders?" Why did you not do so? Because when that procession marched past, you sat shivering for an institution you ought to defend. You had not courage to bring the law to bear upon them, and left them to walk unnoticed; while every constable, by a general order all over Ireland, makes an information whenever he sees even the most trifling violation of the law. Is that the manner in which you would bind to you a high-spirited people? Be just and equal in your administration, when the law is broken punish—then only will it rest on a firm basis in Ireland. Look at this case. Three young men were charged with an offence against the Act. A constable said he saw five or six men in a cart, one of them displaying a sash, while another had two drumsticks. They were all arrested and taken before the magistrates. Another constable said the young man hid the sash under the seat, and he found it there. The sash and the two drumsticks having been found, the prisoners were committed for trial. And what were they charged with? He had the indictment before him, and it ran that they "then and there wilfully, knowingly, unlawfully, and publicly did meet and parade with divers other persons unknown, and, did play music—to wit, did beat a drum, in a certain public road or place there situate, in such a manner as was calculated and did tend to provoke animosity between different classes of Her Majesty's subjects." The Crown prosecuted in this serious case, and what was the defence of the prisoners? If the author of *The Pickwick Papers* were here, I think he could dress it up to some advantage. The learned counsel for the defence urged that no procession had been shown, unless the horse going first, then the driver, then the car, and then the people by the side of the car, made a procession. One car could no more make a procession than one man. The learned Judge, amid general laughter, directed an acquittal. The case referred to by my hon. and learned Friend the Member for Belfast (Sir Hugh Cairns), and which was mistaken by the right hon. Baronet in his hurry, took place on the 1st of August—the date of the great procession in Dublin was the 8th. On the 1st of August the question was raised how many make a procession. It was then held that these three lads formed a procession. The constable said, "I have you all." There was another procession. It consisted of eight persons. They were tried, and the jury, in obedience to the direction of the Judge, found the prisoners guilty; but they added a recommendation that the Judge would not sentence them to imprisonment, as the harvest was ready and no harm had been done. The Judge, however, would not listen to the recommendation, and sentenced them to three months imprisonment. The word "calculated," in the Act, was of great importance. In each case the question was put to the jury whether, considering the facts proved, and considering what they knew of the country and its inhabitants, they believed that the procession was such a one as was contemplated by the Act? The Judge said he had more than once explained to juries that it was of little importance whether any one was offended by the procession, and the real question was whether it was calculated to give offence; and he said it appeared to be worse than trifling to award a nominal punishment, but that it occurred to him that three months' imprisonment was enough to carry out the Act of Parliament, but that where mischief arose the punishment would be double. Seven of the eight men were convicted, and suffered three months' imprisonment for that trifling procession; but what was done when 50,000 men marched through Dublin on the 8th of August, with banners, music, and mottoes? I do not complain of the law, what I complain of is the administration of the law. The right hon. Baronet says that in this case there were no mottoes which would have justified the sending of the case to a jury. I can only say that a friend of mine read one of these mottoes, "O, for the swords of former days!" and I turned to that impartial reporter *Saunders'*, a paper without politics, to see whether my friend's statement was confirmed. I found there, among the banners described, the one I have named, "O, for the swords of former days!" What was that motto for? Was it to make play with? The right hon. Gentleman says the Motion is premature; but I have observed that that is always said of any Motion which the Government does not like. They ask us to wait for papers, and when we consent the papers are not forthcoming; and, in fact, the time never arrives when it is perfectly convenient to the Government to discuss a disagreeable topic. The right hon. Baronet, when he went to Belfast, took a courageous course—he threw all the blame on the local magistrates. He said that the Lord Lieutenant of Antrim had censured the local magistrates. But where was the Lord Lieutenant of Ireland? one would suppose he was a friend of the present Government. I am happy to say that the present Lord Lieutenant, whose conduct in Ireland has gained him general respect, had nothing whatever to do with the matter, but other Members of the Irish Government are certainly open to reproach. The Lord Lieutenant of the county of Antrim took upon himself to censure the magistrates; but where was he himself all the time? He was in Belfast, and had power to call out the military, the constabulary, the entire *posse comitatus* of the county; but he did nothing of the kind. He contented himself with making a speech at the Freemasons' dinner, where he ought not to have made it, and left the military operations to the direction of the right hon. Baronet. Those who had at their command the whole civil and military authority of the country, and who neglected to wield it for the preservation of the peace, were the principal offenders. Upon them ought to fall the burden of blame, and not upon the local magistrates, some of whom exposed their lives in the discharge of their duties, and whose case has yet to be investigated. A mayor of Bristol was once indicted—in a constitutional manner —for his conduct during certain riots which occurred there, but he vindicated his character completely. If you turn to the report of the proceedings, you will find what a different thing is a calm, dispassionate trial before a constitutional Judge, compared with the calumnies and aspersions of an irregular inquiry by a Commission. I do not complain of gentlemen leaving Ireland. It would seem that they all left it; and that the country would have drifted out into the Atlantic if it had not been held fast by Sir George Brown. I suppose the civil administration of the island will now be given to Sir George, while the Chief Secretary superintends the operations at the Curragh. I do not say that the responsible officials should never quit Ireland, but that, when they do go away, they should leave behind them some one acquainted with the circumstances of the people, and that they have no right to put forward their absence as an excuse for any difficulties that may arise if they neglect that precaution. I have been behind the scenes only for a short time, it is true; but still long enough to know that the stipendiary magistrates correspond directly with the Chief Secretary. The latter can remove them from one place to another, and can give them instructions quite independent of the local authorities, but which the stipendiaries are bound to obey. Now, what is complained of by the men of all parties is, that when the first report was sent up by the stipendiary magistrate, explaining the absurd beginning of the riot in Belfast due to the proceedings in Dublin, direct orders were not sent to the stipendiaries to place patrols on the streets where the disturbances broke out when the workpeople were coming from the mills. Had such an order been given, further difficulties might have been averted. If the Government officials omitted to adopt these necessary measures, what right have they to shift the blame from their own shoulders upon those of the local magistrates? The right hon. Gentleman says that an attack has been made on Mr. Barry. This is an error. No imputation is made on that gentleman personally. All that is said is, that no person who is charged with an inquiry into matters affecting the relations of the Government and the magistrates ought to be a Government official, employed as private adviser at the Castle before he makes his report, and afterwards liable to be sent down to the spot to conduct the prosecutions. As to Mr. Exham, it is true that that gentleman did appear before the Commission, but only as counsel on a fiscal question for certain ratepayers, who were afraid the recommendations of the Commissioners might increase their burdens. There can be no doubt that the investigation has been altogether partial and one-sided. The right hon. Baronet, in addition to his own comments, favoured us with a number of choice quotations from Grattan, Macaulay, Berkeley, and others. It is satisfactory, of course, to receive this proof of his reading and erudition, and good quotations from eminent writers are always interesting; he was, however, bound to show that their opinions were applicable to the subject, so as to illumine the House with the superior light of their intelligence. But I must own that I could not trace the bearing of the extracts on the question before us. I think they would apply almost equally well to any subject that is likely to come before the House during the next ten years. Nor could I comprehend what the right hon. Baronet's comments on the "fury of theology" had to do with the present topic. The right hon. Baronet concluded by saying that he stood alone. Now, I have a sincere personal respect for him, because he has always been courteous to me, and I have never heard him utter an opinion in regard to Ireland, which did not do him credit; but it is really painful to listen to such an admission. Why does the right hon. Baronet stand alone? He lectured the people of the North of Ireland on their violence in the expression of opinion —a violence which, it is obvious, is subsiding among the upper and middle classes— but has the right hon. Gentleman forgotten the speeches he made on a memorable visit to the North, which were thrown in my face as being so much stronger, and having more the true ring than any that had been heard for a long time? Is it for him to prescribe moderation of language, and to asperse the honest, industrious, and good men of Ulster, who owe their prosperity to their own ability and activity, and who share their prosperity with men from whom they widely differ, both in religion and politics, after such speeches as he then made—after making such a declaration as, that he did not care two pins' points for the head of the Roman Catholic Church in Ireland? The present situation of the Government reminds me of a passage in our history, but which concerns the noble Viscount under whom he serves, rather than the right hon. Gentleman himself. The noble Viscount the First Minister is a popular and sagacious statesman, and we all admire his genial temper, and his cheerful, courteous way of managing the business of Parliament; but it is quite possible for a Minister of the Crown to pass in England for an able, amiable, and popular Minister, and yet to create in Ireland a feeble and unpopular administration. I have read in former times of an able and eminent Minister, whose opinions and statements were sometimes quoted in that House—Sir Robert Walpole. Now that was a sagacious, wise, able, and discreet Minister. It was even said that he had saved the country. Nevertheless, Walpole established in Ireland almost the worst Government with which it was ever cursed—the Government of a narrow-minded ecclesiastic — Primate Boulter. Swift saw the failure of that Government, and felt it. He had, however, the folly to suppose that the vigour of his genius, the power of his pen, and the greatness of his abilities as a political writer, would make some impression upon the mind of the great Minister. Swift accordingly visited London—he had an interview with Walpole—he told him that the Government of Ireland was in the hands of a clique—that the gentry were excluded from office, and that there was no sympathy between the people and the Executive. But the warning voice of Swift made no impression whatever upon the mind of Walpole, Walpole telling him that the Government of Ireland was whatever he chose to make it. The Minister and the patriot separated. But what followed ? The great Minister overrated his powers and forgot what a man like Swift could do, inspired by genius, animated by patriotism, and inflamed with indignation. Swift returned to Ireland. He wrote down the Government, derided the Ministry, defied their power, and became the idol of the nation. That mighty writer, despised and spurned by the sagacious Minister, became, by the principles he laid down, the author of that great political crisis of 1782, to which the right hon. Baronet has referred, when Grattan, that inspired patriot, stood forth as the genius of liberty in the Irish Parliament, and exclaimed—

> "You are no longer a wretched colony, returning thanks to her Governor for his rapine, and to her King for his oppression. Spirit of Swift! Spirit of Molyneux! Your genius has prevailed? Ireland is now a nation!"

And this has a moral in it. I warn the right hon. Gentleman that the exhibition of to-night will not strengthen his administration. I defy him to govern any country in the way he is endeavouring to govern mine. Her Majesty's Ministers are now attempting to govern Ireland in a manner the people will not submit to. On behalf of my fellow-countrymen I ask to be governed by laws founded upon equity and reason. I ask for a full measure of justice. I tell the Government that Ireland will not be satisfied with less, and I am ready to admit that the highest ambition ought not to covet more.

SIR GEORGE GREY : The right hon. and learned Gentleman in his speech to-night has wandered from the distinct issue raised by the hon. and learned Member for Belfast (Sir Hugh Cairns), and I hope we shall not be led away by his fervid eloquence from the real subject of debate. I cannot help thinking that the speech of the right hon. Gentleman is an illustration of the inconvenience which must attend an inquiry into the occurrences at Belfast before the Report of the Commissioners appointed to inquire into them has been laid upon the table of the House. The right hon. and learned Gentleman has not only impugned the appointment of that Commission, but has gone into the details of what he alleges occurred before it, of which the House can have no knowledge, and his object seems to have been to lead the House to believe that the inquiry was partial and unfair, tending to interfere with the due administration of the criminal law in the case of those persons who have been committed for trial. I cannot help thinking that the right hon. Gentleman would have acted more impartially if he had abstained from the course which he has adopted to-night; and would have exhibited a conduct more worthy of the high position he occupies in the Bar of Ireland, and in this House, if he had abstained from pledging his legal reputation to the assertion that a man who is now under charge of the highest crime known to the law will be acquitted, although the Court of Queen's Bench in Ireland has refused an application made in his behalf to be bailed. The right hon. and learned Gentleman has also, in a manner unworthy his position, indulged in repeated sneers—for I can call them by no other name—against a gallant and distinguished officer Sir George Brown. The right hon. Gentleman is perfectly well aware that the necessary powers are invested in the Lords Justices in the absence of the Lord Lieutenant, and that one of those Lords Justices is invariably the Commander-in-Chief. The right hon. Gentleman has insinuated that the issuing of the Commission was the act of a military chief acting upon his own responsibility and without any communication with the Government, and has imputed to Sir George Brown conduct for which there is no foundation. The issuing of the Commission was the Act of Her Majesty's Government. I myself am entitled to a share of the blame (if there be any), inasmuch as I entirely concurred in that step. I did so because I felt that as a large and populous town like Belfast had been in possession of a mob for several days, and ten or eleven lives had been lost in the streets, and great injury done to persons and property, it was the duty of the Government to institute an inquiry, not into the causes which led to those disturbances, but into the conduct of the local authorities upon the occasion. That Commission was issued in accordance with numerous precedents which might be quoted. The inquiry was instituted, as has been the case with many others, for the purpose of ascertaining, with a view to legislation, the actual condition of the police and the magistracy. I believe there has been no Government within this last century which has not issued Commissions of this kind. An inquiry of a similar kind was made some years ago by a distinguished member of the Bar into the conduct of magistrates at Birmingham. When complaints were made of unnecessary violence by the police in suppressing disturbances in Hyde Park, a similar Commission was instituted, and the inquiry resulted in the prosecution of some members of the force. If we are debarred from any inquiry but by the ordinary methods, I am afraid the Executive power must abandon one of its principal functions, and that it will be powerless to check those abuses which occasionally prevail. I believe that when the Report of the Commission is laid upon the table of the House it will be found that the gentlemen who have conducted the inquiry have acted with prudence and impartiality, and that no prejudice, through their mode of conducting it, will have been done to those who now await their trial. The object of the Commission is entirely distinct from any inquiry into the conduct of the persons accused of criminal offences. The right hon. Gentleman has confounded two things very distinct in themselves; he has confounded Commissions which are occasionally issued for the purpose of inquiring into some criminal charge brought against individuals with general inquiries into the conduct of police and magistrates. The first class I have always held to be objectionable, and in the case of Mr. Balfe, to which the right hon. Gentleman has referred, I said the sooner the practice of issuing them is abandoned the better; but the latter have frequently been attended with beneficial results. The principal charge made by the right hon. and learned Gentleman, and the only one to which I attach any serious weight, is the charge of a partial administration of justice. That charge was brought forward by the hon. and learned Gentleman the Member for Belfast (Sir Hugh Cairns), and repeated in still stronger terms by the right hon. Gentleman the Member for the University of Dublin. It is true that he does not justify the riots of Belfast, which were a disgrace to any part of Christendom; but he seems rather to insinuate that there was some slight justification for the riot in consequence of the procession which took place in Dublin on the occasion of laying the foundation stone of the memorial to the late Mr. O'Connell. But any intention to give offence by that procession had been disavowed. It was said that the Government allowed the O'Connell procession to pass through the streets of Dublin without interfering, or taking any measures to enforce the Party Processions Act, which it is alleged was violated upon that occasion. Upon that subject I think my right hon. Friend the Secretary for Ireland has given a complete refutation of the charge. It has, indeed, been alleged, but the allegation has been met by distinct contradiction, that party emblems were used upon that occasion. No party mottoes were exhibited, and there was nothing to bring the procession within the Party Processions Act, as calculated to create animosity or to lead to disturbance of the peace. The right hon. and learned Gentleman says there was one motto of a party character, "O, for the swords of former times!" but, I believe that is the first line of a melody of Moore's; and if that line is intended to excite animosity, then all I can say is, that animosity is more easily excited in Dublin than it is anywhere else. Then it is said that there were green flags. I am speaking in the hearing of hon. Gentlemen who can correct me if I am wrong, but I am told that the flags used upon the occasion were the flags belonging to the different trades' guilds which formed part of the procession. The right hon. and learned Gentleman talked about flags bearing harps without crowns, and there is no doubt there were such flags, but these could not be held to be party emblems. He also complains of the opinion of the present Attorney General, Mr. Lawson, that the procession did not come within the provisions of the Party Processions Act; but it was given after a careful consideration of the police reports, and of the whole facts of the case. I do not justify that procession. Any large assemblage of persons which is calculated to provoke a breach of the peace is unlawful under the common law. But it became a matter of consideration with the Government whether it should interfere by force to prevent the procession, and whether it would not be better to take precautions to prevent any breach of the peace, rather than forcibly to stop the procession. That question the Government decided after careful consideration, and I think events have shown that it was a wise, prudent, and proper course. Then with respect to the M'Manus' funeral, I think the right hon. and learned Gentleman misrepresented the opinion of the Attorney General, who I did not understand to state that that procession was lawful. The right hon. Gentleman does not put it that the procession at M'Manus' funeral was unlawful within the meaning of the Party Processions Act; but he says that it was a large assemblage of persons, and that over the grave some speeches were delivered which contained treasonable expressions. Does the right hon. Gentleman mean to say, that if he had been one of the Law Officers of the Crown, or that even now, not being a Law Officer but knowing all the facts, he would have advised that it was the duty of the Government, either in the case of the O'Connell procession or in that of M'Manus' funeral, to have called out the garrison and all the police of Dublin to stop by force those processions? I may tell him that on neither of those occasions did a single breach of the peace occur, but all passed off quietly. The O'Connell procession not being illegal within the Party Processions Act, and no information having been sworn by any inhabitant of Dublin that he believed it was calculated to excite animosity or to lead to a breach of the peace, the Government took the wisest course in not interfering, but in taking precautions to prevent disturbances, which, happily, were successful. I believe that the imputation cast upon the Government of a partial administration of the law is wholly groundless. It is easy for the right hon. Gentleman, although he is a lawyer, to ridicule an indictment framed to enforce the Party Processions Act; but he must know that the 12th of July, the day on which the trifling occurrence took place about which he amused the House, has in former times been marked by serious riots, owing to the non-enforcement of the law. Those riots have ceased of late, and surely the Government is entitled to credit for having maintained peace by putting an end to scenes which were disgraceful to Ireland. When the Report of the Commission is laid on the table, I believe it will be found that the proceedings under it were perfectly regular. It was not a judicial tribunal to receive evidence upon oath, but simply to collect information which it was the duty of the Government to obtain; and I hope the Report will lay the foundation for successful legislation to prevent the recurrence of such lamentable proceedings.

MR. MAGUIRE said, that had it not been that he took part in the procession of the 8th of August he should not have risen upon this occasion, but it was only right that he should give his testimony as to the character of that demonstration. He at that time occupied an official position in the city of Cork, and had been deputed by the corporation to attend to represent them upon an occasion when it was intended to pay proper respect to the memory of O'Connell. At the meeting of the corporation, when he was so deputed, there were present several Conservative Members, who united with their Radical and Catholic brethren in a desire to pay respect to the memory of a great Irishman. He confessed that having been kept seated in a carriage for five hours the proceedings of the day were rather a bore to him; but he had opportunity of watching the conduct of the people, and he never remembered to have seen before such evidence of good feeling on the part of a vast population. The people turned out as for a national holyday, with the sole object of paying respect to one whom all Irishmen ought to respect. O'Connell had been dead nearly eighteen years, and surely now the animosities of former times might be allowed to pass away. All Irishmen, however differing from O'Connell in past times, might now properly respect the greatness of his genius and the splendid achievement of which he was the author. He had done more for the peace of Ireland than any other individual. As the author of emancipation, which led to the breaking down of the barriers which formerly separated one class from another in Ireland, O'Connell had done much to produce that better spirit which had grown up in all parts of Ireland except in a portion of the northern province. Upon the occasion referred to he noticed the banners that were borne, and he found they were the ordinary banners of trades and temperance societies, and he denied that there were any offensive banners or emblems, although he admitted that some of the wands were tipped with green. But surely no Irishman, whatever his politics, would say that green was a party and not a national emblem. Out of Ireland all would accept green as the national colour, and he could not understand why they should not so regard it in Ireland. Then it was said that party tunes were played, and "Garryowen" was especially referred to. But "Garryowen" was constantly played by the bands of Her Majesty's regiments in Dublin immediately after "God Save the Queen," and it was also played at the theatres, and he had never heard it objected to as a party tune. The hon. and learned Member for Belfast by his Motion sought to anticipate the Report of the Commission; and, as representing a constituency which strongly sympathized with Orange views, the hon. and learned Member was justified. His object clearly was to take off the edge of the Report, and to soften the condemnation that must be pronounced. It would have been fairer to have waited for the Report and the evidence, and then he would have found that there was no inquiry into the criminality or innocence of individuals, and it would be seen that if ever a Government was justified in issuing a Commission, such an occasion was found in this instance, and if a Conservative Government had been in power he believed they would have taken the same course. No Irishman who was worthy the name of a freeman would regard these abominable outrages which had occurred at Belfast, otherwise than with sorrow and disgust. He wished to know whether hon. Gentlemen thought that when civil war had been going on for more than a month in one of the provinces of the kingdom the Government were not right to make an inquiry to ascertain why such civil war had occurred, why the civil power had been completely paralyzed, and why such a state of things existed as brought a blush of shame to the cheek of every Irishman. Last year he had asked the Government to legislate upon this very question, and to suspend a financial Bill until they had grappled with the cause of the disturbances in Belfast, and the remonstrances then made to the Government had been fully justified by the events that had since occurred. The right hon. and learned Member asserted that the riots in Belfast were owing to the demonstration in Dublin; but he felt bound to deny the truth of this suggestion. The Catholics of Dublin would have been the most ungrateful people that ever were insensible to benefits conferred upon them had they refused to pay some public mark of respect to the memory of the great Catholic who had rendered such services to them, to their country, and to their Church. What was there in their act which should have induced a class in Belfast to burn his effigy with every mark of scorn and contempt, to carry the ashes in a mock funeral procession, and to attack a charitable institution under the control of a religious body? Those were the acts that really gave rise to the Belfast riots, for the gauntlet having been once thrown down, it was doubtless taken up by the Catholics, and then the lamentable transactions took place which were such a disgrace to the country. He thought the hon. and learned Member was afraid of the evidence that would come out in consequence of the Commission. When asked whether, if he had been Attorney General for Ireland, he would have suppressed the Dublin procession, the hon. and learned Gentleman did not say he would have done so, and he defied the Government to have acted otherwise than they had done, when everything was conducted with good humour and without the slightest violation of the law. The hon. and learned Gentleman had described the affair as a mere wanton ceremonial, there being neither plan nor money for the monument; whereas in fact there was no less a sum than £10,000 in the Bank, contributed for the purpose by Catholics of eminence remarkable for their loyalty, including several of the Judges on the bench. He trusted when the Report was laid upon the table no party spirit would manifest itself in that House, but that they would all do their best to prevent a recurrence of a state of things which was a reflection upon our modern civilization. In the mean time he must say he did not think, in reference to this unhappy affair, that the Government was open to the charge either of a feeble or a partial administration of the law.

Mr. HENNESSY rose to address a question to the Attorney General. He saw over the Speaker's chair and in other parts of the decorations of the House green shields and a harp without a crown. They had been told to-night that was arrant treason, and he should like to know from the Attorney General, whether those who built that House, or who designed the decorations, were guilty of treason?

Mr. NEWDEGATE said, that if any proof were needed that the O'Connell procession in Dublin was of a party character, it would be found in the speech of the hon. Member for Dungarvan (Mr. Maguire). It was, in truth, a Roman Catholic procession to mark the gratitude of the Roman Catholics to O'Connell. He could remember Mr. O'Connell in that House, and no one who shared with him that recollection, and remembered the gigantic meetings convened at Tara and elsewhere for the repeal of the Union, could doubt that Mr. O'Connell was a party leader. What could the people of Belfast think but that this was a party procession? And the folly of which they had been guilty showed their sense of the injustice of which they were the victims. A few foolish lads burnt an effigy on a certain bridge in Belfast. The people felt acutely that all processions there, in memory of events to which they owed their freedom, should be strictly forbidden by the operation of the law, which in Dublin was defied by the mere force of numbers. The result of that debate showed conclusively that the Processions Act should be enforced everywhere or that it should be repealed. The operation of the law was to bring any Government into disgrace which had the meanness to allow processions of 80,000 in the South, and yet put it in force against processions of 200 or 300 in the North of Ireland. The fact was the idea of Protestant ascendancy had passed away. The Protestants had been made to feel that they were a minority, and they appealed to the House for justice, though what had passed boded that they would have very scant justice meted out to them. Whether this Motion were well timed or not, the hon. and learned Gentleman (Sir Hugh Cairns) acted under the sense that some of the inhabitants of the town he represented were prejudged, and he ought therefore, at least, to be excused for bringing it forward, even if he were, as the hon. Member (Mr. Maguire) had said, seeking to mitigate the severity of that blow which was about to be dealt to those unfortunate men who were awaiting their trial for these outrages.

Mr. MAGUIRE said, he had not meant to refer to those who were awaiting their trial. He had alluded to the party which the hon. and learned Gentleman represented in that House.

Mr. NEWDEGATE: He was glad to find that the hon. Member had thought fit so to explain his words; but he could not help thinking that they naturally meant that the hon. and learned Member for Belfast was seeking to mitigate the severity of the blow which seemed to have been prepared by the issuing of that Commission. He (Mr. Newdegate) should add that he trusted that this Report would not be delayed, because if ever there was a document which ought to have been presented to the House at its meeting it was one which, being known to exist, and being based upon a semi-public inquiry, was calculated to affect the verdict which would be pronounced upon men who might very soon stand upon their trial for their lives. He begged to observe that when hon. Members talked about the Protestant ascendancy in Ireland, it ought to be remembered that they spoke of that which had long passed away. The Protestants in Ireland were a minority, and he trusted that when they looked to their fellow Protestants in England they would not find that their position as a minority was held to disentitle them from assistance.

Major KNOX reminded the noble Lord at the head of the Government that on the last day of last Session he called his attention to the fact that the Dublin procession was about to take place. The noble Lord informed him that he knew nothing about it, but the Irish Government would, no doubt, look after it. It now appeared from the statement of the Chief Secretary that the Government were all away, and that the whole matter was left in the hands of a gallant General, than whom certainly no man more gallant could have been selected to deal with it. Under these circumstances, he suggested that the Government should take into consideration the propriety of terminating the farce as now enacted in Dublin Castle. In his (Major Knox's) opinion, that, in lieu of a Lord Lieutenant, it would be advisable to appoint a Secretary of State, who, from his high position and character, would have the confidence of all classes; that he would then during the Session be in his place in the House of Commons, the responsible Minister of the Crown, and at other times in Dublin, to represent Her Majesty.

SIR HERVEY BRUCE said, that the right hon. Baronet the Chief Secretary for Ireland appeared to be ignorant of the meaning attached to different colours in Ireland, for he confounded the crimson flag displayed on the tower of Derry Cathedral with the orange and blue flags. His right rev. Friend the Bishop of Derry, falling into a similar error when he first went to that city, ordered the removal of the flag, but upon communication with the Castle he was told to let it alone, because its display was not in violation of the Party Emblems Act. He (Major Knox) believed that the hoisting of the crimson flag, in commemoration of the glorious achievements of former days, of a nature very similar to those commemorated under the purple and orange did not come under the Party Emblems Act, and therefore the right hon. Baronet, having no power to prosecute, could not claim for his Government an impartial administration of justice on that score. In former times so little was the display of the crimson flag regarded as an offence to the Roman Catholics that a Roman Catholic prelate used to walk with the 'prentice boys of Derry at their annual commemoration, and did not refuse to be present at the drinking of a chartered toast which had since been discontinued out of regard to the feelings of the Roman Catholics.

SIR PATRICK O'BRIEN hoped that the Chief Secretary would lay the Report of this Commission upon the table on an early day, in order that the House might have an opportunity of expressing its opinion upon all that had occurred at Belfast.

POST OFFICE—THE THREE-PENNY POSTAGE STAMP—QUESTION.

MR. DARBY GRIFFITH asked the Chancellor of the Exchequer, Whether he saw any objection to allow the postage stamp and rate of three pence, which was now in use for certain foreign and colonial postage, to be made applicable to the internal postage of the country? The hon. Gentleman said that he was in hopes that this question had already been settled as he desired; because, in the course of experiments which he had recently made, he had sent through the post two letters, weighing an ounce and a quarter each bearing a three-penny stamp, and they had been delivered without any overcharge.

THE CHANCELLOR OF THE EXCHEQUER said, that without entering into any details, he might inform the hon. Gentleman that the Post Office and the Treasury had under their consideration the expediency of making some modification in the present arrangement of the scale of postage, which would, he thought, confer great accommodation on the public, and would include the change which the hon. Gentleman desired to see effected.

UNITED STATES—THE RECIPROCITY TREATY AND BONDING ACT.

MOTION FOR PAPERS.

MR. WATKIN, in rising to move an Address for Copies of all Papers in the possession of the Government respecting the Reciprocity Treaty with America and the Bonding Acts, of dates subsequent to December, 1861, said, that under the latter articles chargeable with duty could be sent through United States territory and Canada in bond, and as Canada was for the present, and would be until the completion of railway communication to Halifax on the Atlantic, cut off from access to the ocean for five winter months of the year, the Bonding Acts enabled her commerce with the outside world to pass unimpeded. The North Western States received in return corresponding facilities of access through Canada. The Reciprocity Treaty included three essential provisions —the rights of fishery on a shore line of 1,500 miles, the free navigation of the St. Lawrence, and the free interchange of productions between the British provinces and the United States. The beneficent theory of the treaty was to make two countries, politically distinct, commercially one, and to induce the two peoples, otherwise opposed, to live in co-operation and in peace. The provision as to the fisheries had settled for the time difficult questions leading in past days, and over and over again to dispute, collision, and sometimes the imminence of war. The free navigation of the St. Lawrence and of Lake Michigan had removed jealousies, and fostered the idea of common interests in the great waterways to the ocean, while the results of reciprocal trade had been so happy that a total annual interchange of commodities of a value of nearly £10,000,000 a year in amount between the British provinces and the United States now existed. They were now threatened with the termination of this treaty at the end of twelve months, and no hope appeared to be held out so far of an amicable revision and extension of its benefits. The consequences to commerce were evident, and, at first would be most serious. Trade at last, no doubt, would take other channels, and the British provinces trading between each other and the mother country, and reducing their duties to a very low rate, might, in the end, be largely benefited at the price of a present loss. But that was merely the money view, and such a gain would be dearly purchased at the cost of humanity and civilization, if it broke up the commercial and social union heretofore existing. He held that peace and progress and the future good relations between Great Britain and the United States, on which peace and progress were largely based, would suffer by such an isolation, and he would look with distrust upon a prosperity which was not still shared between the people on each side of the border. He had travelled much on both sides of the British lines, and it was cheering to see there how thoroughly the two people had become sociably and commercially one. They traded together, went into partnership together, visited together. A Canadian or New Brunswicker would often have a farm on each side of the practically imaginary boundary line; and a citizen of the United States often lived on his own, and traded or manufactured on the other side of the border. In fact, those border jealousies which had caused such bitterness and danger even in our own country, had in this generation all but disappeared in this case under the operation of high-minded and far-sighted legislation. Considering, therefore, the magnitude of the commercial interests, the grave questions of navigation, ocean rights, and free communication involved, he must express the most anxious surprise to learn that Her Majesty's Government had allowed the matter to drift into its present position. He was told that no effort whatever had been made to preserve the treaty as it was, or as it might be amended, by negotiations with Washington. His hon. Friend the Under Secretary for Foreign Affairs had said, in answer to a question he had put to him in that House last May, that no negotiations were pending as to the Reciprocity Treaty; and that the Government had no official information on the subject of the Bonding Act. He was bound to take that answer as a correct statement; and he then asked was it possible that Her Majesty's Government could remain inactive when a trade of £10,000,000 a year, and the issue of future peace or disturbance were in the balance? Were the proposed notice to terminate the treaty any matter of suddenness, or by way of surprise, he might comprehend it; but for above three years the subject had been agitated and discussed in Congress—in Canada, and in all the Chambers of Commerce in the North-west. It had been notorious to everybody that one party desired isolation from the British provinces, and another desired the operation of the treaty to be extended. It was, therefore, a question to be discussed in advance of the present entanglement. And, as Canada had no treaty making power, the responsibility rested with the Government at home. This was a question so serious from every point of view, that the House would have to take it up as soon as the noble Lord at the head of the Government laid upon the table the notice which he had told them would be given on the 15th March next. Then would be the time to discuss it fully, and in all its bearings. His object now was to prepare for that discussion, by obtaining all the facts. The paper laid before the House last week did not go back far enough. It appeared that in the autumn of 1861, the New York Chamber of Commerce memorialised Congress for a revision of the treaty, and a committe of Congress reported upon it in February, 1862. That report he had here. It did not advocate notice, no, it advocated adherence to the principles of free exchange; and it proposed that commissioners should negotiate an extension of the treaty. In March, 1864, Mr. Ward reported to Congress resolutions appointing commissioners for that purpose, and ultimately the discussion was postponed to December, 1864. During all this time, surely communication of some kind had passed to or from this country; and it was self-apparent that the treaty might have been revised and extended before recent causes of irritation had appeared. These causes had led to much bitter feeling, and it might now be too late to restore the principle of the treaty and of the Bonding Acts in all their integrity. He now moved for all papers subsequent to December, 1861, with a view to further discussion hereafter. He would now call attention to a very singular letter, given at pages 70 and 71 in the papers printed last week. That letter had been intercepted by General Augur, and was stated by Mr. Seward to be undoubtedly genuine. He would ask whether any explanation of that letter had been offered by his Excellency the American Minister, Mr. Adams? And, if so, why that explanation had not been printed? The letter was from a Confederate agent residing in Canada, apparently to Mr. Seddon, the Confederate Secretary for War. It must have been written at the end of October last year. It stated that the writer had made an arrangement with parties "powerful and influential with the Government of the United States" to deliver supplies of meat in exchange for cotton, "at any port Mr. Secretary Seddon may designate on the east side of the Mississippi," or on "the west side," and after this delivery it was said that "the way was perfectly clear to deliver anywhere with General Butler's department." He adds that he has made another contract with another Federal American citizen "by which supplies of meat will be furnished at Mobile by written permission of the President of the United States to the free passage of the blockading fleet at that port." His contract, he says, is for 5,000,000 lb. of meat in exchange for 5,000,000 lb. of cotton. Now, if this were true, it opened up a very large question. Merchants in England, who had run the blockade, had been most properly censured for the practice. Their having done so was naturally matter of diplomatic complaint. But here were the seal and the signature of the President of the United States himself made use of to send supplies to the enemy on one hand, and to give cotton to the manufacturers of the North on the other. He thought that letter ought not to have been printed without some comment. If explanations had been fairly given by Mr. Adams, and were not printed, the omission was a slight, and he thought a good understanding with the United States, desired so sincerely by, he hoped, the House at large, would not be promoted by its publication.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copies of all Papers in the possession of Her Majesty's Government, respecting the 'Reciprocity Treaty,' and the 'Bonding Act,' of dates subsequent to December, 1861," (*Mr. Watkin*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. KINNAIRD hoped the hon. Gentleman would not deem it necessary to press for the papers for which he had moved, after the statement on the subject to which they related which had been made the other evening by the noble Lord at the head of the Government.

MR. LAYARD said, in answer to the hon. Gentleman, he had only to repeat what was stated by the noble Lord the other night, that there were no papers on the subject of the Reciprocity Treaty. As the hon. Gentleman was aware, no notice with respect to the treaty had been given to Her Majesty's Government. Resolutions on the subject had been submitted to Congress, but there had been no intimation given to Her Majesty's Government—consequently there were really no papers to lay on the table.

MR. PEACOCKE begged to remind the hon. Gentleman that no answer had been given as to the genuineness of the letter to which allusion had been made. If the letter were genuine, it would show that, while British vessels could not enter a blockaded harbour of the Confederate States, President Lincoln was endeavouring to enable Federal vessels to enter them to procure cotton for the Federal States. If the Government declined to give any information on the subject, he trusted the hon. Member for Stockport would not fail to press it again on their attention on a future occasion in a more formal manner.

THE ATTORNEY GENERAL said, he would only make one observation on the letter, namely this—that it was quite possible that Her Majesty's Government might believe in the genuineness of the intercepted letter, but at the same time might not be convinced that all the statements it contained were true.

Amendment, by leave, *withdrawn.*

Original Question, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

PILOTAGE ORDER CONFIRMATION BILL.

Pilotage Order Confirmation *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill for confirming a Provisional Order, made by the Board of Trade, under "The Merchant Shipping Act Amendment Act, 1862," relating to the Pilotage of the River Tyne.

Resolution *reported.*

Bill *ordered* to be brought in by Mr. MILNER GIBSON and Mr. HUTT.

Bill *presented*, and read 1° [Bill 28].

CIVIL BILL COURTS PROCEDURE (IRELAND) ACT (1864) AMENDMENT.

On Motion of Sir ROBERT PEEL, Bill to amend certain clerical errors in the Civil Bill Courts Procedure Amendment Act (Ireland), 1864, *ordered* to be brought in by Sir ROBERT PEEL and Sir COLMAN O'LOGHLEN.

Bill *presented*, and read 1° [Bill 29].

House adjourned at Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, February 20, 1865.

COURTS OF JUSTICE SITE BILL.

RETURNS.

THE EARL OF LONGFORD said, he wished to call the attention of the House to a Return which had just been laid upon the table of the number of houses to be removed and the persons who would be displaced in consequence of the proposed erection of the new Courts of Justice near Temple Bar. The Return professed to give the number of inhabited houses to be removed at 151, and of the number of persons who would be displaced at 302, being two persons to each house. It occurred to him that there must be some inaccuracy in the Return, and he had, consequently, referred to the Parliamentary agents, whose names appeared upon the back of the Bill, and they had stated that the Return was correct, it being a list of the owners and of the leaseholders of the property to be taken; and that the Return omitted all notice of the lodgers, who were very many. It was clearly the object of the House that a full Return should be made of all the persons who would be displaced, and he felt sure there had been some misapprehension in regard to it. He should like to know how many of the working classes would be removed out of their houses. He therefore suggested that a supplementary Return should be ordered, in order to afford the required information, which would certainly be required when the Bill came before the House.

THE LORD CHANCELLOR said, that the objection of the noble Earl appeared to be well founded. The question was not as to the accuracy of the Return, but merely whether it included all the information required, which, in his opinion, it did not do, as it was a farce to say that only two persons resided in each house. He would see that a further Return was made, which would give the number of all persons who would be displaced by the projected plan.

THE EARL OF SHAFTESBURY said, that the Return was not in accordance with the Standing Orders of the House, which directed that before the second reading of any Bill involving the removal of houses in the metropolis a Return should be made stating the number of such houses required, with their character and the positive and actual number in detail of the persons who would be dispossessed, and, further, whether there was any provision made for their accommodation. The Return put the number of houses required at 151, each of which might be assumed to contain from two to twenty rooms; and yet it put the number of inhabitants at only 302. This on the face of it was a perfect mockery of a Return, and did not in the slightest degree pretend to meet the requirements of their Lordships' Standing Orders. He trusted that the noble and learned Lord on the Woolsack would insist upon a proper Return being made of the actual number of poor persons who would be deprived of their homes through their houses being required for the purposes of the Courts of Justice Site Bill.

THE LORD CHANCELLOR said, he had been much struck with the form of the Return, and he would take care that a Return was made in accordance with the Standing Orders.

DEFENCES OF CANADA—REPORTS OF COLONEL JERVOIS.—QUESTION.

LORD LYVEDEN, in rising to ask Her Majesty's Ministers what they have done, or intend to do, upon the Report of Colonel Jervois on the Defences of Canada, said, he did so in the hope of eliciting some information from the noble Earl the Secretary for War, rather than thinking anything he could say himself would interest their Lordships; because it appeared to him that the Report which had been laid upon the table was, to a certain extent, an official indiscretion, as it disclosed a state of things which ought to have been kept from the public eye until some steps had been taken to remedy it.

There might, perhaps, be a great number of persons, many of whom regarded this country with no friendly feelings, as well as others who were friendly to it, who were perfectly well acquainted with the state of the fortifications in Canada; but that was a very different thing from producing a document of this kind, published under official authority and presented by command of Her Majesty to both Houses of Parliament, setting forth the exact condition of those fortifications. The Report of Colonel Jervois was a sort of abstract of a more detailed Report such as was also made in 1864, which had very properly not been made public up to this time; but he should now ask, whether it was the intention of the Government to produce it for the information of the House? By this act of the Government he was at any rate acquitted of any indiscretion, in bringing the matter under their Lordships' notice. The Report of the gallant officer showed —not to use any equivocal expression—the utterly defenceless state of Canada. He had been sent out by Her Majesty's Government to inspect the state of the fortifications; and his Report stated, in unmistakable language, that the troops sent out from this country and the local troops together could not defend the colony. In fact, if it were attacked, there would be nothing for them but to retreat—he would not use a more offensive term—as fast as they could to our ships; and it would be lucky for them if they could gain them without destruction. Was that a state of things which was pleasant to contemplate? Some sanguine or philosophic persons might say there was no chance of an attack upon Canada—that the Americans had too much wisdom to imagine that Canada would be an acquisition to them—that any such addition to their already too extensive territory would only be a source of increased difficulty to the American Government. Four or five years ago one might have talked of American wisdom; but since what had occurred of late we must have seen that American institutions were quite as subject to fits and gusts of passion as were those of any other people. On this point he would quote from a despatch of his noble Friend the Secretary for Foreign Affairs, who ought to be well acquainted with the motives of the American nation. In a despatch of the 26th of November, his noble Friend stated—

> "If Her Majesty's Government have not resisted more strenuously than they hitherto have done these illegal and unfriendly proceedings, the cause is to be found in their belief that the passions and excitement of the contest have for a time obscured the sense of justice and respect for law which usually distinguish the United States, and that with the close of the contest calm consideration will return, and a just view of these transactions will be taken."

It was quite true that the passions and excitement of the contest had obscured their sense of justice and respect for law; but that being so, it might possibly happen that if a peace were patched up between the contending parties, passions and excitement might induce them to turn their arms against Canada and against this country. What was the lesson which recent reports taught us? Had we to learn that peace in the Union in America meant war against England? It appeared to him that we might infer as much from recent indications. It was only the other day that there was a report that peace had been patched up, and the telegram informed us that this peace was founded on what was known as the Monroe doctrine, which went, or might easily be pushed the length of affirming that no European country should hold any part of the North American continent. In the sober correspondence with his noble Friend the Foreign Secretary the Government of the United States seemed to be friendly with the Government of this country; but was the Government always able to control the people? Let their Lordships only reflect on what must have followed if the order of General Dix had been followed. In December that General gave the order for the crossing of the boundary; and yet so amiably disposed towards this country had he appeared to be that, writing on the 18th of October, Lord Lyons said—

> "I should observe that General Dix spoke to me in a very frank and friendly manner, and expressed the most conciliatory intentions, and I should wish Mr. Seward to be informed that I feel much obliged to the General."

Luckily, however, President Lincoln had the good sense to countermand General Dix' order, and nothing happened—but the same thing might occur immediately that the civil war ceased. He hoped the accounts were exaggerated which described American hostility to England as intense, but that such hostility did prevail to some extent he believed. It was true that we had preserved our neutrality as between the combatants; but neutrality was always odious, even those who remained neutral on political grounds were looked upon with distrust and dislike by both parties; and the amount of hostility said to prevail in America against this country might be chiefly owing to our neutrality. If this was the state of things in America, if the danger was imminent—and he was satisfied that it was imminent, because at any time that peace was patched up the arms of America might be turned against us—their Lordships would do well to consider what was the condition of affairs in Canada. Were the defences of that colony in a satisfactory state? It appeared that, acccording to the latest Returns, the number of volunteers in Canada was 21,700, and the latest reports stated that as soon as the Government could take the ballot the service militia, exclusive of officers, would number 88,245. With respect to the latter force one of the Questions he proposed to address to his noble Friend the Secretary for War would be, when would the Government be able to take the ballot—because even after that there would be a great deal to do. Two years ago he ventured to put a question to the late Duke of Newcastle on this very subject, and the answer of the noble Duke was a most unsatisfactory one; for he had to tell their Lordships that the Canadian Parliament was unwilling to bestir themselves, and that they regarded the proposal made to them by this country on the subject of their defences as unconstitutional and one which they ought not to have been called upon to adopt. Now, though he had no official information, he hoped that a better spirit had been manifested in Canada, and that the Parliament of that country had received the proposals made to them in a fair and becoming spirit in regard to their own defences. Colonel Jervois now reported—

> "I have had no official intimation of the course which the Provincial Government propose to adopt with respect to the suggestions which I had the honour to submit to them; but I have the best reason for stating that they concur generally in the whole of my proposals, and that they are ready to meet the mother-country in a fair and becoming spirit in carrying out the measures which are requisite for the defence of Canada."

He should like to know what was meant by "a fair and becoming spirit," and how this disposition had been manifested. Had anything been done? Had any measures of defence been agreed upon, or were Canada and the mother-country still fencing with each other who should contribute least to the defences of the colony? Two years ago, certainly, he was one of those who would have ventured to give what some might consider to be a bold advice. He would have said that, if Canada persisted in refusing to provide for its own defence, we should leave Canada alone. It was perfectly clear that, in respect of mere emolument, Canada was of very little use to us; and as long as it would not defend itself, as long as it levied differential duties against this country, as long as it pursued a course which showed rather hostility than friendship towards England, we were justified in saying, "You may provide for yourself; we shall withdraw our troops." Leaving our troops there without proper defences meant not only the discomforture of those troops, but their destruction and the disgrace of this country. The state of affairs had, however, to a certain extent, changed since that time, because the important step of a Confederation of the British Provinces had been proposed. Some said that a Confederation led to separation. He hoped it did. He hoped that in the case of Canada it would lead to a happy and amicable separation, such as ought to exist between the mother-country and that colony. With countries it was the same as with the members of families—when the younger branches became sufficiently vigorous to do for themselves they would no longer depend upon the parent. But it was to the immediate defence of the North American Colonies, and not to their future destiny, we must now look; and he found that the gallant and distinguished officer who had reported on the defences of Canada, while stating the measures necessary for the future, did not tell us how the colony was to be defended in the meantime. Above all, he did not tell us what was to happen on the Lakes. They had lately heard that in November the American Government had given notice that they intended to put an end to the Treaty of 1817, and to establish a force on the Lakes. Mr. Russell, in his able work on Canada, stated what every other writer on the subject had stated also — namely, that Lake Ontario was the only one of the Lakes that we could possibly undertake to defend. He wished to know, therefore, what measures had been taken for the defence of that Lake — whether preparations had been made for putting additional or any gunboats upon it? The questions he wished to put to the Government were, what interpretation they placed on the steps which had recently been taken with regard to Canada by the United States Government; what had been done with regard to the Lakes, and especially Lake Ontario; whether Canada would be able by any provision to impose any charge on the future Confederation in regard to any outlay they might incur for her defence; and what time it would take to complete the fortifications? He had no quarrel with anything the Government had done or omitted to do; but the time was certainly come when instructions must be sent out to Lord Monck to say at once to the Canadian Assembly in a peremptory and positive, but not by any means in a menacious manner, that they must undertake some proportion of the expenses of their own defence, and that whatever they did would be met by this country in a fair and liberal spirit. There were but two manly and vigorous courses of policy open to us in this matter. One was to say at once to the Canadians that we found it impossible to defend them, that we saw they did not mean to defend themselves, and we, therefore, should withdraw our troops whom we did not wish to see massacred on their soil; but that we should part with them of course in a friendly spirit, in the hope that when this was no longer an Imperial question, and when the sovereignty of England was withdrawn, the enmity of the United States, said to be based on these considerations, would be withdrawn. That would be a straightforward, and perhaps on the whole not a dishonourable course; but there was another course more fitting a gallant and high-spirited nation, and more in accordance with the courage of the British people. We might say to the Canadians, we consider you part of our Empire, and that your vast territory belongs to us, and we will not suffer your soil to be invaded. We will supply you with troops to scatter your enemies, and without delay will improve the fortifications by which your country is defended. For both these courses there might be much to be said; but the course for which there was nothing to be said, and which ought to be avoided by the Government, was, that intermediate policy which consisted in telling the Canadians that we would send them troops only in driblets — and that we would spend on their fortifications just as much as we could slip quietly into the Estimates each year. Thus, we should have been exposed to the danger of invasion, and possibly to the chance of a foreign occupation, and in the meantime we might be losing the choicest of our troops, consigning ourselves to eternal infamy as a nation, and be committed to the excessive difficulties of a war with the United States, waged on a field most disadvantageous to us, which could only result in misery to both nations, and could produce neither honour nor profit to either.

EARL DE GREY AND RIPON: My Lords, I quite agree with the noble Lord who has just sat down, that this question is one of great importance. I also agree with him that it is a question surrounded with great difficulty. My noble Friend has said that Her Majesty's Government were guilty of an "official indiscretion" in having laid this Report upon the table of both Houses of Parliament. Now, I will state the grounds upon which we took that step—observing, in the first instance, that if we are guilty of official indiscretion in the production of this Report, I think my noble Friend himself is open to the charge of "Parliamentary indiscretion;" inasmuch as in his speech he has spoken in terms of the Government of the United States, and of the motives likely to actuate them in certain circumstances, which perhaps it would have been as well if he had not employed. And, moreover, he told us certain grounds upon which he imagines that the peace negotiations recently going on were based, which, as far as I know, had no foundation, except in the telegraphic reports which reach us from day to day from the United States, founded on the speculations of the American newspapers, and which are very frequently not confirmed. I shall not, therefore, notice the speech of my noble Friend, except so far as it is associated with the facts of the case. The Report of Colonel Jervois contains a statement—a statement, no doubt, serious, and worthy of grave consideration —of the real facts of the case; but I must tell your Lordships that there is nothing after all in this Report which was not already perfectly well known to those who had taken any interest in, or had previously studied the subject. In public documents laid before other Assemblies, and speeches made in other countries, will be found all the principal facts broadly stated in this Report. It hardly contains anything but what was known before it was made; but, my Lords, the reason which induced Her Majesty's Government to produce such a report was this. We propose to ask the Parliament of this country, and the Legislative Assembly of Canada, to bear their respective shares of the expenditure necessary for the defence of that province, and when we were about to ask two Legislative Assemblies to vote money, we felt that it was necessary that we should lay before them the grounds on which we made the proposition. That is the reason why this Report has been laid before Parliament, to show the grounds on which the Government base their proposed action, and to enable the Canadian Government to do the same with their Legislature. Therefore, I must say I do not think that Her Majesty's Government are at all guilty of that portion of the indictment preferred against us by my noble Friend, which charges them with "official indiscretion." This brings me to reply to the Question which he has put. The Report touches principally upon two points—first, the works of defence to be erected in Canada, for the defence of that territory; and secondly, the measures to be taken to improve the organization and system of training of the Canadian militia. In regard to the first, my answer is that as soon as this Report came into my hands it received the immediate and serious consideration of Her Majesty's Government, and that we forthwith entered into communications with Lord Monck, based upon its recommendations. We informed him that we should, in the Estimates of the present year, propose to Parliament a sum of money for the improvement of the fortification of Quebec, and that we looked to the Canadian Government to take steps for the fortification of Montreal, and for the erection of any works that might be necessary to the westward of that important place.

THE EARL OF DERBY: What about Halifax?

EARL DE GREY AND RIPON: I will speak of Halifax presently. I am now confining my remarks to my noble Friend's Question which related to Canada alone. The proposal is that we should undertake the expense of the necessary improvements in the defences of Quebec, which, as your Lordships are aware, has always been considered an Imperial fortress. In former days that fortress was strong and adequate to the times; but, like many other fortifications, it has grown unequal to the altered circumstances of warfare of the present day, and requires alterations and improvement. That work we take upon ourselves. We propose to the Canadian Government to undertake the expense of the fortifications of Montreal and the districts to the westward. The Canadian Government are well aware of the obligations that rest upon them, and I have reason to believe that they will place themselves in a position to meet the requirements of the case. With respect to the point adverted to by the noble Earl opposite (the Earl of Derby), there has been a Vote for the defences of Halifax for several years upon our Army Estimates, and there will be a larger sum in the Estimates for the present year. As regards the Canadian militia, it is no doubt true that some time ago the arrangements made in Canada with respect to the militia were by no means satisfactory; but my noble Friend must recollect that since the period of which he speaks, and since the statement made by the noble Duke, whose loss we all regret, a new Government has been formed in Canada, entertaining much wider views than its predecessor; and according to the information we have received, determined to turn their attention to this question, and to take measures for placing the militia in a state of efficiency. My noble Friend asked me a question with regard to the ballot; and I am enabled to inform him that not the mustering of the troops, but the first process of the ballot, has already taken place.

LORD LYVEDEN: How many have been ballotted for?

EARL DE GREY AND RIPON: I cannot exactly say at this moment. There is no doubt on my mind that the present Government in Canada are determined to do their duty as regards this question of the militia; and Her Majesty's Government, on their side, will be willing to afford them all the encouragement with respect to the formation of the training schools for militia officers, commissioned and non-commissioned, that may be required to put the force into an efficient state. The proposals contained in Colonel Jervois's Report with respect to the militia and volunteers have been communicated to Lord Monck. The details of the organization of that purely local force rest necessarily in the hands of the Canadian Government, but Colonel Jervois's suggestions appear to Her Majesty's Government well suited to the circumstances of Canada. In the peculiar circumstances of Canada the chief difficulty is with a sparse population to bring them together to centralized points, and to unite them for the purposes of drill for a few weeks or a month; but by the combination of the volunteer and militia systems as existing in this country, I think it possible to effect an efficient training of the militia force in Canada, without asking the men to submit to the sacrifice of leaving their own homes and going to long distances for a considerable period. I am not in a position now to enter more into details upon these questions. My noble Friend (Earl Granville) tells me that he has just ascertained that for 88,000 men the ballot has been taken, and I know the training of the officers is going on satisfactorily. Every Report I receive from the Commander-in-Chief in Canada (Sir Fenwick Wililams) confirms that statement, and leads me to believe that the system of schools for militia officers will be a most useful and valuable one. The Canadian Government propose to extend it, and Her Majesty's Government, on their part, will afford every facility for so doing. Such, then, is the state of affairs. We think we have duties to perform in this matter, and that we are entitled to ask Parliament to incur certain expense for the defence of this portion of Her Majesty's dominions. But at the same time we do not think that this country should be called upon to undertake the whole of the cost. We think that the Canadian Government and people ought to take a large share of the expense upon themselves. We have reason to hope that they are alive to that necessity, and that in that, as in other respects, the North American Colonies have made a considerable stride within a short time. They are showing a spirit of loyalty, good sense, and the leading men of these provinces have exhibited a statesmanship which is very creditable to them and gratifying to the country, and to all who are interested in the welfare of the colonists. Upon these principles we are acting. We take a share of the expense upon ourselves. We ask them to take the larger share. We believe that they will readily respond to the call made upon them, and that in a short time Her Majesty's North American Colonies will be placed in a satisfactory state of defence.

THE EARL OF DERBY: My Lords, I feel the present state of our relations with the Federal States of America to be so critical that for my own part I should have been desirous of maintaining an absolute silence, and leave to Her Majesty's Government the responsibility of dealing with this difficult and delicate question, lest any interference on our part should tend to increase the difficulty of their task. Accordingly, on the occasion of the moving of the Address to the Crown, I contented myself with pointing out simply what I believe to be the threatening state of affairs in North America—not expressing any opinion whatever at to the course to be pursued, but leaving to Her Majesty's Government the responsibility of the position and the precautions to be adopted. But, my Lords, Her Majesty's Government have now taken a step which I think entirely justifies the question raised by the noble Lord opposite (Lord Lyveden). Because, when Her Majesty's Government have officially laid upon the table of this and the other House of Parliament a Report showing the defenceless state of one of our most important provinces, and thereby calling the attention of this kingdom and of foreign countries to that defenceless state, Her Majesty's Government themselves appear to invite a discussion upon that subject, and to ask the opinion of Parliament—I do not mean to say the opinion of Parlialent formally taken, but the expression of the opinion of individual Members as to the responsibility of that position. I cannot but think, however, that as it was the intention of Her Majesty's Government to enter upon this large and critical question, involving, as it does, the expenditure of large sums of money, and inaugurating a new course of policy altogether—I cannot but think that the subject was much more worthy of being noticed in the Speech from the Throne than any of those comparatively unimportant questions which formed the staple of that document. I will not pretend to say that the communication of this most unsatisfactory Report of Colonel Jervois is likely to afford to your Lordships, or to the American Government, any information which you were not already in possession of. At the same time I think it is humiliating to this country to set forth officially the utterly unprepared and defenceless state in which one of our most important possessions is kept, at a moment when the question of peace and war depends, not upon the calm consideration of friendly Governments, but very much upon the excited passions of popular assemblies of a nation which, whether rightly or wrongly, does entertain, to a very great extent, hostile feelings towards this country. I think Her Majesty's Government, in laying that paper before Parliament, have given to it a character far more important than if they had left the subject to the universal knowledge which exists in the state of affairs, and had contented themselves with silently and quietly taking the steps necessary to counteract the danger which it is too plain Her Majesty's Government now apprehend. I do not complain, and never have complained, of the course of neutrality which Her Majesty's Government have pursued between the two contending Powers of North America. But, looking as I do with the utmost horror to the possibility of a war between this country and the Federal States, or this country and the re-United States—if such a reunion be possible—I must say I think that Her Majesty's Government have been slow to take steps, with the symptoms of increasing dissatisfaction and discontent which have been brought to their notice, and of increasing menace on the part of the United States—I say I think they have been slow in making adequate preparations to meet the danger, which now they confess to be one of a real and substantial character. There is one point to which the noble Earl did to some extent advert, but which, I think, deserves more attention than he has given to it—I mean the state of our naval preparations on the Lakes. What is the state in regard to that? As your Lordships are aware, there has hitherto been an agreement by which an absolutely insignificant naval force should be maintained on either side. But just before the commencement of the season, when it would be impossible to take any decisive measures on our part to increase our force, steps were taken by the Federal authorities in absolute and direct violation of the conditions of the treaty. It is true that the American Government have declared that it is not their intention to violate the treaty beyond the period when they found it absolutely necessary for their own security. But they have taken upon themselves to violate the treaty without previous notice to Her Majesty's Government. They have, in violation of the treaty, placed a force upon the Lakes, which menace the security of Canada, and they have not given, so far as I am aware, any reasons which might seem to render necessary the infraction of the solemn conditions of the treaty. The American Government simply say that they do not intend that this suspension of the treaty should not last longer than the period of absolute necessity. But, at the same time, they take steps which will enable them to carry on that period of supposed necessity as long as they think fit, and after the period of six months from notice of the suspension they will be in a state of perfect liberty and of perfect readiness to place upon the Lakes any amount of force they please, and Her Majesty's Government, as far as we know, have taken no measures to place themselves in a proper and corresponding condition. I ask Her Majesty's Government, do they take credit for having made preparations to meet these difficulties? God forbid they should prove to be real difficulties! God forbid they should be confirmed in point of fact! But there are these threatening circumstances, these eventualities, to be provided against. Her Majesty's Government admit by the fact of coming down to Parliament at the eleventh hour to ask for the means of erecting fortifications to supply that which is an absolute necessity—they admit, I say, that they see the danger, and they say that that danger can only be successfully encountered by a large contribution on the part of the Canadian Government and that of other Provinces. But, as Colonel Jervois truly observes, men are not sufficient without fortifications, and that fortifications for Montreal and Quebec are objects of peremptory and pressing importance. Connected with this subject there is one point of great importance—namely, that the Americans should not, in the event of a rupture, be permitted to have, in the first instance, the command of the Lakes. You now ask a large amount of money for fortifications, which you now admit to be of urgent necessity; but I do not find that you turned your attention during the whole period that these unfortunate events have been going on, although you must have known that in certain events the amicable relations between this country and the United States would be interrupted. You have taken no steps up to the present moment to provide the fortifications of which you now speak; and even now, when we know there is a preponderating American force on the Lakes, I do not believe any measures have been adopted to place a force on the Lakes sufficient to meet that danger. Although a rupture might take place at any moment I am not aware that any steps have been taken to meet the danger by land, and none whatever have been adopted to meet the danger which threatens you by water, and which, as I say, may come upon you at any moment. As far as I understand the sketch which the noble Earl gave of the intentions of Her Majesty's Government it is intended to ask Parliament for the sum of £200,000. I believe that is the estimate for the defences of Quebec.

EARL DE GREY AND RIPON: That is the whole amount, but it is intended to spend only £50,000 this year.

THE EARL OF DERBY: Only £50,000 this year! Then I want to know from the noble Earl when he thinks this danger threatens us? Is it imminent, or is it one which may be apprehended in three or four years? You ask this year for £50,000 to be expended on the fortifications of Quebec, and you say the whole will cost £200,000, and the Canadian Government are to expend £400,000 or £500,000 more on the fortifications of Montreal, which you say are more urgent and more pressing than Quebec. And then the noble Earl astonishes us by telling us that seeing this threatening aspect of affairs Her Majesty's Government are about to erect works which will cost £200,000, but that they are going to ask for only £50,000 this year. I do not know whether even £50,000 will be asked for; perhaps it may drop down to £20,000 — so that in the course of ten years these fortifications, upon which the safety of the North American provinces depends, may possibly be constructed; whereas the danger, if danger there be, is one which may be realized not in the course of years but of months. My Lords, I deprecate as much as any man can do the utterance of language which could increase the exasperation or any ill-feeling which may, and, as I am afraid, does prevail on the part of the United States towards this country. But it is the part of common prudence to be prepared against a danger absolutely and imminently threatening, and I must say that neither in anything that Her Majesty's Government have done, or, as far as I understand, in what they propose to do, have they taken adequate steps to meet that which they consider to be a great urgent and imminent danger. I think it possible that, in a pecuniary sense, the western provinces of Canada are rather a drain upon our resources; but the incidence of this would not be felt if a large and powerful federation should be formed. If Canada were to manifest a desire to separate from this country and establish their independence, I do not think it would be desirable for the mother country—I do not think it would be for our honour or interests — to endeavour to retain her in unwilling and reluctant association with us. So long, however, as she is desirous of remaining in union with us we are bound, by the ties both of duty and of honour, to the utmost of our power, to second their efforts; because I differ from the noble Lord in his estimation of the value of our American possessions, because I think that the possession of the navigation of the St. Lawrence, and the occupation of New Brunswick and the rest of the seaboard of our American colonies is, to a maritime country like this, of the utmost importance, and is a question far too great to be considered merely as one of money and of economy. Therefore I do not think it unimportant whether this country remains connected with Canada or not, and I say it would be a lasting disgrace to this country—it would be an ignominy to which I trust we shall never submit—to allow that, upon any pretext whatever, these Provinces should be suddenly, while in a defenceless state, turned over to their own care, and exposed to the possible invasion of a foreign country, whose good-will we have endeavoured, however unsuccessfully, to propitiate, if not by strict neutrality, at any rate by a neutrality more favourable to the North than to the South. I say that, under such circumstances, to allow that colony to be wrested from us without putting forth the full strength of the Empire to repel every attempt at invasion, would be a gross and lasting disgrace and ignominy which I hope this country would never suffer.

EARL GRANVILLE: My Lords, I feel that this is not only an important question, but one which must be approached with considerable delicacy. I cannot help thinking that the noble Earl following the noble Lord behind me (Lord Lyveden), in charging the Government with indiscretion in laying this Report before Parliament, has taken a very exaggerated view. I do not see how it was possible for Government to ask Parliament for money unless they placed before them some official information such as this Report on which to base their application. My noble Friend the Secretary for War stated, with great truth, that it was necessary to give some statement of this sort to enable the Government of Canada to make application to their own Legislature. The noble Earl opposite says that if this great and sudden change of policy was to be adopted by Her Majesty's Government it should have been announced in the Queen's Speech. I deny, however, that there has been any such change. This subject of the defence of Canada has been one of anxious inquiry for some time past. I am sure there is no Peer in this House who will deny that Canada is bound to take a part, and a considerable part, in providing the defence necessary to protect herself from the attacks of a hostile force. What has been the case? The Government of Canada at one time absolutely declined to bear any of the burden. It is only recently that we have had a Government there with which we could deal at all on this subject, and it was not till that Government came forward with commendable public spirit that we could bring the subject under the notice of Parliament, and ask them to grant money to a colony which formerly declined to put forth efforts to protect itself. This state of things has now been changed, and I rejoice in the proofs of the good feeling that now exists between the colony and the mother country. I do not know that any greater proof of the good will entertained towards us by the colony can be adduced than the following Resolution, which was adopted at a Conference of Delegates, held at Quebec in reference to the basis of the proposed Confederation:—

> "All engagements that may before the union be entered into with the Imperial Government for the defence of the country shall be assumed by the general Government."

Nothing can be more decisive as showing the honourable spirit by which our fellow-subjects in North America are actuated. With reference to the limited naval force to be maintained by the two Governments respectively on the Lakes between Canada and the States, there is no doubt it is a very difficult one; but it was not until November that we had any intimation from the American Government of their desire to put an end to that arrangement. The noble Earl says there has been a very great violation of the treaty. That was a very strong expression to use. The American Government may have gone further than they ought to have done in maintaining a revenue cutter upon the Lakes beyond the stipulated naval force; but they allege that they have committed no violation of the treaty. I am sure that in treating these questions the wisest and most patriotic course—one showing no unnatural alarm—is to treat them, in our discussions, with the greatest moderation and the greatest calmness. I believe this would not diminish our heartiness in lending aid to Canada in the possible but terrible alternative—which may God avert—of our being engaged in war with the United States. As long, however, as these strong feelings which animate both ourselves and our colonists of mutual attachment and affection exist, and while the colony is prepared to take her full share of the exertions and expenses which are necessary to her defence, I believe the mother country is bound to stand by her—I believe that a great country like England is bound to come forward in time of need to assist the efforts of such a dependency.

Lord LYTTELTON was understood to say that, from the complexion which events had recently assumed on the American Continent, it was evident that no time should be lost in putting Canada into a proper state of defence. The danger which threatened that country might be imminent, and he did not think it could be maintained that £200,000 was an extravagant sum for the mother country to contricute towards placing the fortifications of the province on a proper footing.

The Earl of MALMESBURY: My Lords, if the Government really are in earnest with respect to these defences, it appears to me that the sum which is to be devoted to the defence of Quebec is really so trumpery as to assume the character of a farce. As I understand the matter, £200,000 are required from us for placing these fortifications on a proper footing; but, if this sum be necessary at all, it must be necessary very soon. What, therefore, is the use of dividing this amount into four parts? I understand, too, that the army is to be reduced—not by any very large number of men, it is true, but still a reduction is to be made. Now, if any force can act efficiently in Canada, that force is infantry, and the Canadians ought to give us a guarantee to find an infantry army, whatever we may do with respect to ships and stores. It seems to me trifling with the question, if Quebec is to be fortified and improved, not at once to try and obtain the necessary £200,000 and finish those fortifications. I cannot help thinking that there is more than one reason for the delay, amounting almost to neglect, which the Government has exhibited during the last four years, when—I will not say everybody, but a great many persons, at all events—foresaw that Canada would be threatened, so soon as there should be an end—as there now seems likely to be—of the war which has raged for the last four years among the American States. There seems to have been an opinion widely prevalent that the war was founded on the slave question. That delusion must, I think, have disappeared from the mind of every one after what has occurred within the last three weeks. What is the only point of contest, according to the best information, between the two parties? It is independence on one side, and undivided dominion on the other. That is the apple of discord over which they have been fighting for the last four years; and to suppose that when the present war ends, the Americans will sit down quietly and disband their forces, and that there will then be no danger to ourselves in Canada, is a delusion which, if it ever existed, ought by this time to be dispelled. I sincerely hope that the Americans when they emerge from this contest will look back upon it with the same feelings of horror which it excites in us as it proceeds, and that they will not turn their eyes on other nations with a desire to continue their military career. It is apparent, however, from what has lately taken place, that a passion of dominion does prevail among the Americans; and whether it be directed to the north or the south, the east or the west, the existence of that passion ought not to be disregarded.

THE EARL OF **ELLENBOROUGH**: My Lords, I think it would be well if Her Majesty's Government would take into their consideration in what position the Confederates would now be had they acted on the principle on which the Government are about to proceed in regard to Canada. The Confederates immediately set about constructing fortifications at Charleston, Mobile, Wilmington, and other places. The whole country was at once covered with the works necessary to assist the operations of the army. If they had gone on the supposition that there was plenty of time, if they had endeavoured to do the thing by driblets, setting up a fort in one year, and one in another, the Confederate armies would long before now have been overwhelmed, and every one of the places they wished to preserve would have been lost. We are, as has been said, in this position—if the people of Canada are really desirous, as they appear to be, of continued connection with this country, and are willing to put themselves forward for their own defence, we are bound in honour to give them such assistance as we can. I deeply lament the position in which we are placed. I deprecate a war with America as fatal to the best interests of both countries, and incapable of producing, under any circumstances, the slightest benefit to either. But we may be compelled by honour to engage in these hostilities. But the Canadians must do more than merely express a desire to remain united to this kingdom; they must do more than merely pass Acts which may ultimately lead to the formation of a sufficient defensive force. Unless the Canadians are prepared to come forward as the Southerners have done, by the exertions of every man among them, to defend the soil which ought to be most dear to them, the property which they possess, and, above all, the safety of their families—unless, I say, they are prepared to go to that extent, although honour may oblige us to endeavour to assist them, any really useful efficient assistance, it will be impossible for us to afford. Canada must be defended by Canadians. If it be not, we shall sacrifice many of the gallant men sent to their assistance, and we shall lose the honour of the country through the destruction of the inadequate force provided for the defence of Canada. These are my feelings, and I hope they will also be the feelings of the Canadians. But this danger, remember, if it ever befall us, is one which may come at any moment. If the recent negotiations had succeeded, it might have been preparing at this hour: and when I feel that nothing we can possibly do can avert that danger, that there is not a man in the country who does not see it and measure its extent. I must say, it is to me almost incredible that the Government should be content with voting only £50,000 for the purpose of fortifying what must be the place of disembarcation of our troops if we should be compelled to go to war. This is not a new subject—at least as regards former Governments, although it may be so to the present. If the Ministers will look through the records of their offices they will find—I cannot tell exactly in which Department—some opinions of the late Duke of Wellington with regard to the state of the defences of Canada, ranging from 1828 to the period of his death. I can recollect communications on the subject from the Duke of Wellington as far back as 1828, and I know it was one on which he thought very deeply and strongly, and on which he entertained very decided opinions. I hope that when the Government are preparing measures for the defence of Canada they will not be satisfied with the Report of this Colonel which has been laid on the table, but will go to the opinions of the Duke of Wellington and consult his wisdom on the matter.

EARL **RUSSELL**: My Lords, I own I

very much regret that my noble Friend (Lord Lyveden) has deemed it necessary to bring on this discussion. Her Majesty's Government are blamed for publishing a Report exposing the weakness of Canada. Now, the course which we have taken is this—having to provide a remedy for the weakness of Canada, we have presented a Report showing the defects to which the remedy was to be applied. It ought to be remembered that this is a question of a Vote of money—which may not, perhaps, be of a very considerable amount at first, but which may come to be very large in future years. In order to obtain the assent of the House of Commons to our proposal it is necessary to show both the need of a remedy and that the remedy proposed to be applied will be efficient. The noble Earl opposite (the Earl of Derby) has complained very much of the years which have elapsed during which nothing has been done. But, as has been justly remarked, there were two things to be proved—one was that Canada required improved fortifications, and the other that the Canadians were disposed to take part in protecting their soil from invasion, and to contribute largely for that object. If the Government had come forward three years ago and asked the House of Commons for a large Vote for the fortification of Canada, the great body of the House would have said, "Where is the proof that the people of Canada are disposed to defend themselves? Have they any militia?" The answer must have been—no, they have none. Have they made any preparation, are they disposed to make any preparation, to share the expenses we are asked to take upon ourselves? Again the answer must have been—no, they are not disposed to go to any expense to defend their soil. Under these circumstances could we—could any Government—expect to get a large sum of money from the House of Commons? The noble Earl opposite said we ought quietly and silently to have been going on with these works. What, spend £200,000 quietly and silently! I know not from what source the noble Earl, had he been first Lord of the Treasury, could have procured £200,000 quietly and silently without mentioning it to the House of Commons, keeping it a secret from all the world. It is not easy to see how fortifications could be erected in Canada at the expense of this country without a word being said about it. Therefore I hold that the charges which have been made are totally devoid of any solid foundation. It is said that we ought to have thought of these things before. So we did. When my lamented Friend Sir Geroge Cornewall Lewis was at the War Office he had the subject very much in his thoughts. The state and disposition of Canada appeared to him, as to all those who have held the office since the present Government was formed, to be material points for consideration. During the middle and end of the past year a different disposition has been manifested by Canada to what was formerly the case. Indifference gave place to a strong spirit of loyalty, and there is a great wish to form an extensive Confederation, a readiness to furnish the means of fortifying Canada and of establishing some 90,000 or 100,000 militia. When that disposition appeared the Government thought it was their duty to bring forward the question, having a strong case to place before the House of Commons, and reasons, which, I trust, will induce the House to vote freely the grant proposed. Complaint has also been made that only £50,000 is asked for now. But, my Lords, it is for the official persons in charge of the Vote in the other House to explain why this amount has been fixed on, and all those details upon which the proposal is based. These details cannot now be laid before this House, and the discussion of the question here must be abortive, as no Vote can be come to on it at present. I repeat that it is to be lamented that the discussion has been raised. There is, however, one point on which I am quite ready, as the subject has been referred to, to express my opinion. I am entirely of opinion with the noble Earl opposite (the Earl of Ellenborough) that if Canada is ready to stand by this country, this country is bound in honour to stand by Canada; and if they are disposed to grant their resources to defend their soil in connection with Great Britain, we ought to be ready to expend our resources in order to defend them. That is a point not only of interest, but of honour. The noble Earl opposite has said that we are perfectly deceived in considering this as a war for the destruction of slavery. For my part, I have always thought, and I stated the opinion at the commencement of the civil war, that on the part of the North it was a contest for empire; just as I believe our contest in 1776, which we continued till

1783, was a contest for empire and for nothing else. I believe, as we acted then, the United States have acted now; and had our position been similar to theirs, we should have acted much as the Northern States have done. I do not wish to say anything further with regard to questions which the noble Lord opposite seems to raise in no very impartial spirit, with regard to the attacks that are made from time to time in the American Legislature on this country. But this I will say—that whatever may be the intemperance shown by certain orators in the Senate and Congress of America, whatever may be the violence—the unjust and extreme violence—shown by the press of America, I cannot think the Government of the United States have been wanting in moderation in their communications with us. And when the American Minister says to me, as he does, "Suppose you were at war with any European Power, and vessels were to come constantly out of New York to attack your commerce and destroy your merchant ships on the high seas, do you believe that the English people would have borne it as quietly as our Government has done?" I own I think it somewhat difficult to answer that question. I think, while in point of law and reason they have nothing to say against us, yet in point of feeling and in point of impression it is very irritating and provoking to them to consider that a friendly Power, a neutral, has had ships fitted out and crews provided in their ports by which American commerce has suffered. I think, as America and England are apt to take their own view of what is right and wrong in this matter, it is but fair that we should now and then consider what would be our own conduct under similar circumstances, and that we should make some allowance for a people engaged in this most dreadful war, and I think it much better to avoid questions which, considering the nature of their country and the nature of this country, we could scarcely expect they would have altogether avoided. And now, with regard to slavery, while I quite admit the North has been fighting for empire and not for the abolition of slavery, yet I think, though you will give them no credit or praise for it, it is a thing to be thankful for that the Congress of the United States, by a majority of two-thirds, have agreed that from henceforth it shall be a part of the Constitution of the United States, that no slavery, no compulsory servitude, shall be admitted under it. I do not ask your Lordships to give them any praise or credit for that; but I do rejoice, for the sake of a cause in which this country, at least in former days, took a deep interest—for the sake of the abolition of slavery, which I believe concerns the best interests of mankind—I do rejoice that that law passed the Congress of the United States; and that whether they become again a united people, or whether they form a separate North American federation, there will be a great State a great Republic, on which the stain of slavery will not exist.

THE EARL OF DERBY: I have no right again to address your Lordships, and certainly I am not about to discuss the question whether the abolition of slavery is a result which may follow from this civil war—if so, I shall be sincerely glad to see it; but I wish to call the attention of the Government to an important point connected with the question put by the noble Lord opposite. I wish to know whether the Government have taken, are taking, or intend to take any steps in the face of the pressing and threatening danger of an absolute naval superiority of America on the Lakes?

THE DUKE OF SOMERSET said, that perhaps the noble Earl was aware that notice had reached this Government that those arrangements which had hitherto operated so happily in favour of peaceful relations between the two countries were about to be put an end to. That information arrived at the end of November last, and was to the effect that in six months from that time our relations would be so far changed, that the American Government would be enabled to put armed vessels upon the Lakes. Now, owing to the freezing of the canals and of the river St. Lawrence, it would have been quite impossible for Her Majesty's Government at that time to have taken any active steps. But he (the Duke of Somerset) had been in communication for two or three years past with naval officers of experience upon this subject, whose opinions were being constantly brought before the Cabinet, and he should be prepared, when the proper time came, to state the course which Her Majesty's Government would take upon the matter.

THE EARL OF LONGFORD said, there was a matter of importance connected with this subject which had not been mentioned by any speaker. He meant the opening up of the great main route from the Atlantic to the Pacific upon British territory. He was aware that this was a great project, requiring the expenditure of some £60,000 or £70,000 a year, but it was not a new one, having been under the consideration of more than one Government. It was not, perhaps, necessary for him on that occasion to enlarge upon the advantages, civil or military, which would attend the carrying out of this great undertaking. He would observe, that whilst of British emigrants, during last year 170,000 had emigrated to the States and only 19,000 to British provinces, it must be remembered, that for the defence of Canada there were required strong hands and many, and it was highly desirable that we should encourage the stream of emigration to our own colonies, instead of to a foreign country, and bear in mind that we had possessions on the Pacific as well as on the Atlantic.

The Earl of HARROWBY said, it appeared from the Report of Colonel Jervois that £1,340,000 would be required for the defences which he recommended. Now, with a surplus revenue of between £2,000,000 and £3,000,000 £50,000 was a very small sum to propose to vote during the present year for the defence of Canada.

Lord WHARNCLIFFE desired to know whether this small sum of £50,000 was to be concentrated on the defences of Quebec, or was to be dribbled away by being scattered over the defences of the entire country. It seemed to him absurd to construct expensive fortifications at Quebec unless they erected sufficient earthworks at a proper distance from the St. Lawrence. He wished to know what Government intended to do with respect to earthworks, which were admitted to be more efficient than fortifications.

Earl DE GREY and RIPON said, that as to the observation of the noble Lord who had just sat down, what he had suggested was exactly what the Government were going to do. They did not propose to expend their money for the defence in Canada in driblets here, there, and everywhere, but rather to concentrate it upon one spot, and that a most important position—namely, Quebec. He would not, however, enter into the nature of the works that would be executed there. With respect to the amount to be taken for them, it would be quite impossible, with the best intentions in the world, to spend £200,000 in the course of the present year. The working season in Canada, from the character of the climate, was necessarily short; and, moreover, at the commencement of such undertakings they could not spend the same amount upon them as they would be able to do when they had made some progress. Nothing could be done until Parliament had voted the money. Then they would have to buy the land and begin the works. The £50,000 included in the Estimates was the sum which the officers of the Fortification Department thought could be advantageously laid out during the ensuing season; but it would, of course, be possible, as always happened in these cases, to expend larger sums in subsequent years. It was the object of the Government to proceed with these works as rapidly as possible, consistently with the due solidity and permanence of the fortifications to be constructed, and they would each year ask Parliament to vote such sums for their execution as, guided by the professional advice they received, they should deem expedient.

Lord LYVEDEN said, he did not agree with the opinion expressed by the noble Earl the Secretary for Foreign Affairs upon the policy of originating the discussion which had arisen from his question. It was of importance to have elicited the views of the noble Lords who had taken part in it, and if the noble Earl had been in his (Lord Lyveden's) position it would have been exactly the kind of discussion which he would have been glad to provoke.

House adjourned at a quarter before
Seven o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, February 20, 1865.

MINUTES.]—Select Committee — On Public Accounts, *nominated.*

Public Bills — *Ordered* — Capital Punishments within Gaols; Court of Chancery (Ireland) (No. 3)*; Union Chargeability.

First Reading--Capital Punishments within Gaols [30]; Union Chargeability [31].

Second Reading—Bank of Ireland [14]; Civil Bill Courts Procedure (Ireland) Act (1864) Amendment* [29]; Election Petitions Act (1848) Amendment* [19]; Pilotage Order Confirmation* [28].

Select Committee — Mortgage Debentures, &c. Bills; Mr. Hunt *added.*

Committee — Game Licences (Ireland)* [16]; Dublin International Exhibition (1865)* [17].

Report—Game Licences (Ireland)*; Dublin International Exhibition (1865)*.

PRIVATE BILLS—CHAIRMAN'S CASTING VOTE.—NEW STANDING ORDER.

COLONEL **WILSON PATTEN**, in rising to move the following new Standing Order,

> "All questions before Committees on Private Bills shall be decided by a majority of voices, and whenever the voices are equal the question shall be resolved in the negative,"

said, that he took this course in accordance with a promise which he gave the other evening, when it was resolved that Private Bill Committees should in future consist of four Members. The practice which he proposed to introduce already prevailed in the courts of law and in the House of Lords. He understood that several Members of great experience objected to the proposal which he was now making. He brought it forward in the same spirit in which he proposed the alterations of Standing Orders, which the House adopted at the end of last Session—namely, with a view to save the time of Members of that House, and because it appeared to him to be the wish of the House that the proposal should be made; but he had himself no great feeling either one way or the other. If the House adopted this proposition, it would only be by way of experiment, and it had this advantage, that they could at any moment revert to the old practice without detriment to any party who appeared before Committees of that House.

Motion made, and Question proposed,

> "That all questions before Committees on Private Bills shall be decided by a majority of voices, and whenever the voices are equal, the question shall be resolved in the negative."

MR. R. **HODGSON** said, he hoped that the House would not agree to this proposal of the hon. and gallant Gentleman. He could not help thinking that they were altering the Standing Orders without due deliberation, and with more chance of doing harm than good. Although the principle now recommended by the hon. and gallant Gentleman prevailed in the courts of law and in the House of Lords, he had never known a case in which the members of a Committee of that House being equally divided the decision had passed in the negative. Indeed he had been informed by noble Lords who had acted as Chairmen of Committees that the almost universal practice in case of equality of voices was not to take a decision, but to adjourn. He should prefer to revert to the old number of five members; but if the number was to be four, it would be better to abide by the Standing Order of last Session than to hold out to parties and counsel the temptation to be continually fighting to get the Committee into such a fix that the voices might be equally divided. He should oppose the Motion, and if he received sufficient promise of support would divide the House against it.

MR. **ROBERTSON** said, that he should prefer to increase rather than to diminish the responsibility which was cast upon Chairmen of Committees, because he was convinced that it was by the former course only, and not by the latter, that the private legislation of that House could be improved. He strongly recommended the House to make the experiment which was decided upon last year. The Chairmen of Committees who were chosen for their fitness, had most onerous and responsible duties to perform, and the House ought to strengthen rather than to weaken their hands.

MR. **ARTHUR MILLS** said, that when reference was made to the practice of the House of Lords they ought not to overlook the circumstance that in dealing with the Private business of that House great authority was left to be exercised by Lord Redesdale, the Chairman of Committees. In one instance in which he had sat as the Chairman of the Committee upon a Bill, the agent for the promoters afterwards pointed out to him alterations in about 150 clauses, which he said were suggested by the Lords, and upon his inquiring whether he meant the Lords' Committee or Lord Redesdale, he replied that in every instance he meant Lord Redesdale. When they were asked to alter their practice that it might conform to that of the House of Lords, it was important that they should bear in mind that their Committees had a practical authority to exercise and work to do. Having acted as Chairman of Committees, he could imagine the possibility of a Committee being placed in circumstances of great embarrassment by the Chairman being deprived of the authority which might lawfully belong to him, and by two members being enabled to neutralize his influence.

MR. **BRIGHT** said, it appeared to him that there were two objections to the proposal of the hon. and gallant Gentleman which were worth considering. First, it would have the effect of neutralizing the influence of the Chairman. They had been accustomed to believe, and he thought they were right in believing, that the Chairman of one of these Committees on Private Bills generally knew more about the matter upon which they were called upon to decide than any of his colleagues, and he suspected that that would continue to be so even if they were to reduce the number of members to three, instead or four. If his authority was neutralized he was afraid the Chairman would feel less sense of responsibility than he had hitherto done; and therefore, as Chairman, he would be less to be relied upon, and less useful under the proposed change. But there was another objection which seemed absolutely fatal to the proposition. It was to be presumed that parties appearing before a Committee to promote a Bill for any great public work, were engaged in doing what was likely to be beneficial to the public, and their proposals ought not to be suspected, or to be rejected upon inconsiderable grounds. According to this proposal, however, any great measure which might have taken many months to prepare, which might have involved a vast expenditure and engaged the labours of the most able men in many departments of science, would, if two members of the Committee voted against it, be rejected, although an equal number voted for it. In his opinion the presumption of a Committee in the case of equal division ought to be in favour of the measure which was before the Committee, as one which was calculated to be of public advantage; and the acceptance of a contrary presumption would be a manifest injustice to the great engineering interest, and to those who were engaged in directing the enterprise of the country, as it would infer that a measure which they sought to have decided in their favour, was one which a Committee ought to reject. In his opinion, the number four was a clumsy one to deal with matters of this kind, and no reasonable argument had been given for having four members instead of five, except that the House had undertaken more business than it could properly carry through. As the number was to be four he should certainly vote against this proposition of the hon. and gallant Gentleman, which might lead to the rejection of some great and useful enterprise, because two members out of the four, for some cause or other, did not think fit to vote in its favour.

Mr. MILNER GIBSON said, that for his own part he was sorry that the number of the Committees on Private Bills had ever been changed from five. He was still strongly in favour of a Committee of five. What was the position of the Chairman in a Committee of that number?—because the influence to be possessed by the Chairman was now the question at issue. The Chairman was in the position that in order that his opinion should prevail he should get two out of four Members to agree with him; while in the case of a Committee of four he must get two out of three to agree with him, so that if he were in the latter instance to have only a single vote, as in a Committee composed of five, the chance of his moral influence prevailing would be diminished, inasmuch as he would find it more difficult to get two men to agree with him out of three than out of four. Now, it was not, so far as he could see, the wish of the House to lessen the influence of the Chairman, who, as a general rule, might be presumed to have more experience than the other Members of the Committee. The question was how this influence was to be made up to him. He saw no other way in which that influence could be upheld in a Committee of four than by giving him a second vote in the event of there being an equality of voices. Therefore, much as he was disposed on all occasions to agree with the hon. and gallant Member he thought on the whole the argument prevailed for giving the Chairman a casting vote. If in those cases in which there happened to be that equality it was to be considered that no decision at all had been arrived at, an obstructive effect would, he thought, be produced; nor could he admit that when a Committee of four had been agreed to by the House there had been any general understanding that the Chairman was to have only a single vote.

Mr. CHARLES FORSTER thought the hon. Member for Taunton (Mr. Arthur Mills) was scarcely correct when he said that the Motion had been brought forward with the view to assimilate the practice of the House of Commons to that of the House of Lords. It was brought forward rather to carry into effect a promise which the hon. and gallant Member for North Lancashire had made on a previous occasion when the Motion for the substitution of the number three for four was rejected—a Motion which he regretted to say he did not succeed in getting the House to adopt.

Mr. GATHORNE HARDY asked why the Chairman should not have a casting vote in the present instance as well as in the case of other proceedings before the

House? With a Committee of five, if one Member was prevented from attending the inquiry was conducted by four Members and the Chairman had a casting vote; and he did not see any reason for adopting any other practice when four was the original number. If that privilege were not accorded to him, an ingenious Chairman might secure a decision in accordance with his views by the mode in which he might put the Question. Suppose he were anxious that a clause should stand, and that he put the Question thus, "That this clause be struck out," the decision, being in the negative in the event of there being an equality of votes, would be in his favour. He considered three a better tribunal than four, but as that number was fixed at four he saw no reason for departing from their usual practice of giving a casting vote to the Chairman.

MR. SCLATER-BOOTH thought it extremely probable the House would find it expedient to return to five, which was much better than the number four, or adopt the proposition of the hon. Member for Walsall (Mr. Charles Forster) and fix the number at three.

MR. PEACOCKE said, all this discussion would have been avoided if the House had agreed to a Committee of three, and he believed the House had been induced to reject the Motion of the hon. Member for Walsall on the understanding that the proposition of his hon. and gallant Friend the Member for North Lancashire was to be agreed to. It now appeared, however, that whatever influence his hon. and gallant Friend might have with the President of the Board of Trade, the influence of the hon. Member for Birmingham was still greater, for the right hon. Gentleman seemed to have departed from the views which he held on a former occasion, when he professed to regard the respective merits of three and four as a sort of Schleswig-Holstein question, and to be rather in favour of such a proposal as that under discussion.

SIR FRANCIS GOLDSMID was of opinion that if the Motion before the House were adopted the House would not be laying down a rule for the guidance of Committees, but rather raising a number of points tending to embarrass them. The result, indeed, would be that, unless a regular code as to the manner in which the proceedings should be conducted and the Question put were drawn up, the Chairman would get back in an indirect way that influence of which it was now sought to deprive him. During the last week, he might add, the Chairman of Ways and Means, under a power given him by a Standing Order of last year, had issued certain regulations, in accordance with which he would have a casting vote in the event of there being an equality of voices among the Referees on Private Bills. If, therefore, the present proposal were agreed to the House would be making inconsistent and conflicting rules with regard to the transaction of Private business.

COLONEL WILSON PATTEN said, it was only a Chairman utterly unacquainted with the rules and mode of putting Questions in the House who would act in the manner suggested by the hon. Member, seeing that it was the duty of the Chairman to be guided by the rules of the House in that matter. The only reason for changing the system of the House in these matters was, that in practice it had been found by the Committee of Selection so extremely difficult to obtain five Members to serve upon each Committee that it became necessary to consider whether it was absolutely requisite to adhere to that number. A great deal was to be said in favour of both views, but the House last Session adopted the Resolution for the reduction of the number by a considerable majority. From the expressions of opinion now put forward, however, it seemed that there were many who were strongly in favour of going back to the number five; and if that view should prevail, if hon. Members thought that the Private Bills could not be properly entertained by a less number, by all means let that course be adopted. He must say, however, as Chairman of the Committee of Selection, that their duties in framing the Committees would be very considerably increased. If he were quite certain that Committees composed of three Members would be fully attended in every case, he should be willing to vote for three as a proper number. But knowing the enormous amount of capital with which the Committees were called on to deal, he was quite certain that the large companies, having enormous interests at stake, would not be satisfied if by any accident the number were reduced to two. With two Members, the House must bear in mind that all the objections urged against the casting vote of the Chairman applied with still greater effect. He entirely disclaimed any personal feeling on this question. His only object was to get the Private business as satisfactorily disposed of as possible, with the least practicable expense to the parties, and the least practicable inconvenience to hon. Members.

Mr. BONHAM-CARTER said, the mass of Private business had certainly worn a sufficiently alarming appearance to justify the hon. and gallant Gentleman in entertaining the subject originally, but he was not without hope that the difficulty would prove less overwhelming than he anticipated. Having to choose between two inconveniences arising under the new system, he should give his voice in favour of the Chairman's casting vote.

Question put, and *negatived.*

Standing Order No. 87 read, and amended, by leaving out the words "Chairman of Ways and Means," and inserting the words "Referees on Private Bills," instead thereof.

Standing Order No. 125 read, and amended, by leaving out the words "Chairman of Ways and Means," and inserting the words "Referees on Private Bills," instead thereof; and by leaving out the word "he," and inserting the word "they," instead thereof.

Standing Order No. 128 read, and amended, by leaving out the words "Chairman of Ways and Means," and inserting the words "Referees on Private Bills," instead thereof; and by leaving out the word "he," and inserting the word "they," instead thereof.—(*Colonel Wilson Patten.*)

THE MARRIAGE LAW.—QUESTION.

Sir COLMAN O'LOGHLEN said, he would beg to ask the Secretary of State for the Home Department, If it be the intention of Her Majesty's Government to introduce this Session any Measure to regulate the Law of Marriage in the United Kingdom, or to institute any inquiry by means of a Committee of that House, or a Royal Commission, with a view to future Legislation?

Sir GEORGE GREY: Sir, Her Majesty has been advised to issue a Royal Commission for the purpose of inquiring into the state of the Marriage Law.

LEGACY AND SUCCESSION DUTIES. QUESTION.

Mr. LOCKE KING said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he has directed the Board of Inland Revenue to take the evidence of professional men, and of the public generally, upon any improvements in the present mode of collecting and assessing the Legacy and Succession Duties; also, whether, through the same sources, he has ascertained if any, and what grievances exist?

The CHANCELLOR of the EXCHEQUER said, in reply, that the Board of Inland Revenue had no authority, nor could he give them any, to apply generally for the evidence of professional men, in regard to collecting and assessing the Legacy and Succession Duties. It would, however, be very agreeable to the Government or the Board to receive the assistance of any professional men who were likely to conduct these inquiries. With respect to the latter part of the Question of the hon. Gentleman he had, no doubt, the means of knowing what were the grievances complained of. The Government and the Board of Inland Revenue were cognizant of the additional charge, for instance, over and above the duties themselves. They were, of course, in contact with a body of professional men, whose duty it was to conduct that part of the business on the part of their clients, and it was probably known to the hon. Gentleman, that considerable discussion took place last autumn in the public journals, which had the effect of drawing general attention to the subject. There was a certain number of particular cases which were brought before him (the Chancellor of the Exchequer) in connection with the correspondence inserted in the public journals, and the communications which he had had with the parties on the subject of their complaints, pretty well opened to the Government the difficulties that occurred in the administration of the law. That correspondence had not all been brought to a conclusion; but, as it was of a public character, there would be no objection, when it was finished, to lay it upon the table. He believed that the result of the inquiry would be to show that the principal part of the difficulty was inherent in the nature of the law and of such taxes. These taxes were more obviously justifiable in principle than, perhaps, any others, but in their administration they were necessarily attended with considerable difficulty. However, he entertained the hope that in revising a complicated system of procedure in an office of that kind, after a long period had elapsed since such a review had taken place, it might be found possible to introduce many practical improvements which would afford some satisfaction and relief.

MR. CLARE'S PATENTS.—QUESTION.

MR. MAGUIRE said, he wished to ask the Secretary to the Admiralty, To lay upon the table the Report of William Carpmael, the Patent Agent, on Mr. John Clare, junior's, patents, which Mr. Clare alleges to have been made use of by the Admiralty in the *Warrior*, and subsequent iron ships for the Royal Navy?

LORD CLARENCE PAGET replied, that the Report of the Patent Agent had been laid before the Board of Admiralty but it was in the nature of a confidential Report, and he thought it was not advisable to lay it on the table of the House.

ARMSTRONG TWELVE-POUNDERS—GUNS.—QUESTION.

MR. H. BAILLIE said, he rose to ask the Under Secretary of State for War, Whether any batteries of the present service pattern of twelve-pounder Armstrong field-guns, as reconstructed and shortened since May, 1863, have been subjected to the hundred shotted rounds of continuous rapid fire, such as disabled six out of twelve guns of the previous pattern at Shorncliffe in 1862, and caused the above reconstruction; and, if any gun of the present pattern, with an inner tube of steel or coiled iron, has stood one thousand shotted rounds of rapid fire; and, if so, whether he will lay the Report of these trials upon the table of the House?

THE MARQUESS OF HARTINGTON said, in reply, that the questions of the hon. Gentleman were calculated to some extent to mislead the House; because although the twelve-pounders had been shortened they had not been reconstructed, or, at any rate, no operation had been performed to justify the use of the term. The changes of pattern that had been made in these guns since 1863 had been for the most part extremely slight, and chiefly related to the mode of sighting the guns. The experiment which the hon. Member pointed out had not, as far as he (the Marquess of Hartington) was aware, been tried since the experiments at Shorncliffe in 1862. The experiment was unnecessary, because no failure of the twelve-pounder had been reported, and no complaints had been made, and because the gun so far had the entire confidence of the Artillery. As to the latter part of the question, he was not aware that the particular experiment indicated by the hon. Member had been tried upon any gun of the present pattern. A great many experiments relating to the endurance of the Armstrong gun had been made. He might instance that the seven-inch breech-loading gun had been tried for endurance, one hundred rounds having been fired with 14lb. of powder, and 100 to 1,000 cylinders, increasing from 150lb. to 1,000lb., the gun being, at the conclusion of the firing, quite uninjured.

MR. H. BAILLIE: Am I to understand that none of the Armstrong guns have had steel tubes put into them?

THE MARQUESS OF HARTINGTON: I believe that some of the Armstrong guns have had steel tubes put into them.

BRITISH PASSPORTS TO ROME.
QUESTION.

MR. H. BARING said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether the fee paid to the English Consul at Rome for obtaining his *visa* to Foreign Office Passports is the perquisite of the Consul; and, if not, into what fund it is paid?

MR. LAYARD replied, that the fees paid to the Consul at Rome were paid under an Act of Parliament, and were not the perquisite of that gentleman, but went into the Treasury, and were accounted for in the Estimates.

DISINFECTING POWDER FOR INDIA.
QUESTION.

COLONEL SYKES said, he rose to ask the Secretary of State for India, Whether a requisition has been received from the Bombay Government for a large supply of Disinfecting Powder; whether the application has not been complied with; and on what grounds?

SIR CHARLES WOOD said, in reply, that an application had been received from the Bombay Government, which he referred to the Sanitary Commissions sitting under the authority of the War Office for their opinion. He did not feel himself justified from their Report in complying with the request.

CONVICTIONS UNDER REFRESHMENT HOUSES ACT.—QUESTION.

SIR CHARLES DOUGLAS said, he rose to ask the Secretary of State for the Home Department, If, in consequence of two men having on the 30th of January been convicted at Middleton Cheney Petty Sessions, County of Northampton, of being "drunk and riotous in a public thoroughfare," and who were fined thirty shillings and costs under the Refreshment Houses Act 23 *Vict.* c. 27, s. 40, and, being unable to pay, were sentenced to three months' imprisonment under Jervis's Act 11 & 12 *Vict.* c. 43, s. 22, Her Majesty's Government are prepared to consider the case of those prisoners, and any others under similar circumstances; and if, in the opinion of Her Majesty's Government, the Act 11 & 12 *Vict.* c 43, s. 22, may be interpreted so as to enable magistrates to imprison a man for three months for not paying the pecuniary penalty, when the law only gives power to imprison for the offence itself for which the fine is imposed "for not more than seven days?" He wished to say a few words in explanation. ["Order, order!"] His reason was because two men were now suffering imprisonment. He would conclude with a Motion if necessary. Two men were now undergoing a sentence of three months in gaol in consequence of having been convicted before two magistrates for an offence for which they were fined a certain sum, and when for the offence itself the men could not by possibility legally receive more than seven days' imprisonment. The case had arisen under the Refreshment Houses Act. The men were drunk and riotous in a public thoroughfare, and it was in the power of the magistrates under the Act either to fine them forty shillings or to sentence them to imprisonment for not more than seven days. The two men having been convicted, the magistrates resorted to another Act of Parliament, and, after inflicting a fine which the men could not pay, sent them to gaol for three months under the Summary Jurisdiction Act, not for the offence for which the fine was imposed, but for its non-payment. It was true that under the Metropolitan Act parties could be committed for such offences within the metropolitan district for one month if the fine were not paid, and strange as it might appear, though under Bass's Street Music Act a man could not he imprisoned for more than three days—for non-payment of fine instead thereof parties had been committed for a month. The clauses of the Refreshment Act and the Metropolitan Act were identically the same, but the Legislature at least never intended to imprison a man in the country for three months for not paying a fine for an offence which would not render him liable to imprisonment in the metropolis for more than one month. He should conclude by moving the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."

Mr. SPEAKER: This is the time for the Questions. The Motion of the hon. Gentleman should have been made at the time of the Notices of Motion.

Sir GEORGE GREY said, he had to thank his hon. Friend for having brought the circumstances of the case under his notice on Friday last. He had transmitted his hon. Friend's statement to the magistrates in order to ascertain whether the facts were reported correctly, and also to receive their explanation. He had not as yet received their report, but he expected that he should receive it on Tuesday or Wednesday. With respect to the general law, his hon. Friend had stated it correctly. In default of the penalty being paid, and there being no means of levying it by distress, the defendants might be imprisoned for a period of three months unless the penalty was sooner paid. That was the case generally, unless where it was qualified by an express provision. In the Metropolitan Police Act there was such a qualification, and the term of imprisonment in default was one month instead of three. This state of the law required revision, and he felt obliged to his hon. Friend for having called his attention to the case.

SUPERANNUATION IN THE DOCKYARDS.—QUESTION.

Sir ARTHUR BULLER asked the Secretary for the Admiralty a Question of which he had given him private notice—namely, Whether there is any truth in a rumour which was prevalent in the Devonport Dockyard, and he believed in other Dockyards also, that it is the intention of the Admiralty to propose some alteration of the present Superannuation system by substitution of an increased rate of wages or otherwise?

Lord CLARENCE PAGET said, he was not aware of any such intention on the part of the Admiralty.

BANK OF IRELAND BILL—[Bill 14.]

SECOND READING.

Moved, "That the Bill be now read 2°."—(*Mr. Chancellor of the Exchequer.*)

SIR HENRY WILLOUGHBY said, he understood that this Bill imposed a slight additional charge on the State, though the first clause intimated a slight reduction. He desired, also, information on another point. Assuming the quantity of stock in Ireland to be under £30,000,000, £450 a million was to be paid upon it; but if the quantity was above £30,000,000, then the payment was to be at the rate of £300 per million, which, of course, would be a very considerable reduction. He wanted to know what would be the amount of charge that would be thrown upon the public by the Bill ?

THE CHANCELLOR OF THE EXCHEQUER said, the hon. Gentleman was perfectly right in the manner in which he had read the Bill. It would impose an additional charge upon the public, and on this ground. The Bank of Ireland, at present, performed an amount of work for the public, for which it did not receive adequate remuneration. A clear statement would be found in the short correspondence which had taken place on the subject. The Government thought it but fair to the Bank of Ireland that it should receive adequate remuneration for the performance of duties onerous in character, and which it discharged well. He invited the criticism of hon. Members—Irish Members and others—but the Bill, as it stood, represented what, after full examination, he believed the Bank of Ireland was entitled to receive. He had come to the conclusion that the additional payment should be £4,400 a year. The reason why the Bill was somewhat complicated was, that in conjunction with the rectification of the charge he proposed a rectification of form. At present the Bank of Ireland was under an arrangement which did not belong to the present mode of making up the public accounts. The Bank of Ireland managed the Irish National Debt without any remuneration, but it received an extra remuneration in consideration of doing the work of the National Debt for nothing. Instead of that it was now proposed to reduce the rate of interest on their loan to the same rate as that paid to the Bank of England, and to pay a distinct remuneration for the work it had to do in connection with the National Debt. The effect would be that the whole amount spent would be spent in conformity to the rules which governed the public expenditure generally. The hon. Baronet had asked another question with respect to the arrangement of the charge which appeared to involve an anomaly. If it should happen that the portion of the National Debt under the management of the Bank of Ireland should fall below £30,000,000, it would be paid at the rate of £450 per million; but if it rose above £30,000,000 it would be paid at the rate of £300 per million, thereby receiving less for the management of £35,000,000 than for the management of £30,000,000. That was an anomaly of which he could give an explanation. The nature of the scale corresponded with that arranged for the Bank of England. In 1861, when he proposed to alter the rates for the arrangement of the National Debt under the management of the Bank of England he did not make an entirely new arrangement, but was satisfied with accommodating the old arrangement, and altering it only where he thought alteration essential; and, therefore, leaving as they stood under the old law the rates that were payable to the Bank of England for the National Debt at certain amounts very much lower than it now stood, he made a great reduction upon the excess of the National Debt beyond £600,000,000. In point of fact, what he did was this—he settled the practical part of the question, and left that part of it which was of little consequence under the old arrangement. He now proposed to do the same with respect to the Bank of Ireland. It was not necessary to contemplate the contingency of the amount of the National Debt in Ireland being below £30,000,000. An amount below that would presume that the total amount of the National Debt would be reduced to between £600,000,000 and £700,000,000. Now, considering that we had had half a century of peace with only two years of European war, and had not succeeded in getting the National Debt greatly under £800,000,000—it never having been lower than £760,000,000—it was evident that we need not trouble ourselves with the rate of remuneration to be paid to the Bank of Ireland when the portion of the National Debt it had to manage should be reduced below £30,000,000. We could deal with that case when it arose, and he should be happy to see that time arrive. On the whole he believed the measure would be found to work satisfactorily.

Motion *agreed to.*

Bill read 2°, and *committed* for *Thursday.*

CAPITAL PUNISHMENTS WITHIN GAOLS BILL.—[Bill 30.]

LEAVE.—FIRST READING.

Mr. HIBBERT moved for leave to bring in a Bill "to permit capital punishments to be carried out under certain regulations within the interior of prisons." He did not intend to invite any discussion at this stage of the proceedings, because the right hon. Baronet the Home Secretary had expressed an opinion that, as the whole subject of capital punishments was now under the consideration of a Royal Commission, it would be well to postpone it until the Report of that Commission was received. If he were allowed to bring in the Bill he should, therefore, defer the second reading until after Easter.

Sir GEORGE GREY said, that as the question was under the consideration of the Commission to which the hon. Member had referred, he could only consent to its introduction on the condition that there was to be no discussion until the Report of the Commission had been made.

Motion *agreed to.*

Bill to provide for the carrying out of Capital Punishments within Gaols, *ordered* to be brought in by Mr. Hibbert, Mr. Bonham-Carter, and Viscount Enfield.

Bill *presented,* and read 1° [Bill 30].

PUBLIC ACCOUNTS—COMMITTEE NOMINATED.

The CHANCELLOR of the EXCHEQUER *moved—*

That the Committee on Public Accounts should consist of the following Members:—Mr. Walpole, Mr. Edward Pleydell Bouverie, Sir Stafford Northcote, Sir Henry Willouhgby, Mr. Peel, Lord Robert Montagu, Mr. Howes, Mr. Goschen, and Mr. Pollard-Urquhart.

Sir HENRY WILLOUHBY remarked that a very small portion of the public accounts was submitted to this Committee. The time was approaching when it would be necessary that there should be a more general audit, although he was afraid it would involve a complete revision of our financial system. What was wanted was a system and an examination which would give the House a clear account of the way in which the public money was expended. He had had the honour of serving on this Committee for some years, and he thought that the House should know that its powers and its usefulness were extremely limited.

The CHANCELLOR of the EXCHEQUER assured the hon. Baronet that the Government were as anxious as any Member of the House could be to see this Committee on Public Accounts, which was an institution well founded, he thought, on the principles of Parliamentary government, made as efficient as possible, and armed with every power which could tend to complete that efficiency. With regard to the imperfection or partial development of the principle of audit in this country, that was a matter under the consideration of the Government, and with respect to which they thought it probable that they would have an opportunity shortly of adopting measures, and even of making proposals to the House, entirely in the spirit of the remarks of the hon. Baronet. With regard to the limitation of the powers of the Committee, he could only say he was quite sure that any recommendation that Committee might make, tending to enlarge their own powers, and supported by reasons to show that at present their powers were not so large as they ought to be, would come before the Government and the House with great authority; for he was satisfied that those hon. Gentlemen who had received such a mark of the confidence of the House as was indicated by their appointment on this Committee would not be likely to make a recommendation of that sort except upon good grounds.

Motion *agreed to.*

POOR LAW SECRETARY.

RESOLUTION.

Mr. AUGUSTUS SMITH moved, pursuant to notice,

> "That the office of the one Secretary, rendered capable of sitting or voting as a Member of the Commons' House of Parliament by the ninth clause of the Poor Law Act, lately vacated ought to be abolished."

He said, that this was not the first time he had brought this subject before the House. When the Poor Law Renewal Act was last introduced he took occasion to draw attention to the small amount of the duties the Secretary of the Poor Law Board performed in that House and at the office, and that, therefore, the post might very well be dispened with. He then moved that at the next voidance of the office it should be abolished; and he thought the House would, now the office was vacant, agree with him that it should be done away with. They had two officers in the House to represent the Poor Law Board, the President and the Secretary. When the Act which constituted them was passed, it was thought very desirable, as complaints were frequent and inquiries incessant as to the working of the law, that some one should always be in the House to represent the Board; but that necessity had now passed away, and one officer would be amply sufficient. He had carefully looked over *Hansard*, and he found that in the year 1864 the Parliamentary labours of the right hon. Gentleman the President of the Board, consisted in addressing the House about thirty times, and these were for the most part merely brief observations, or answers to questions in reference to a Bill connected with the Poor Law then before Parliament; and that was a year in which, owing to the Lancashire distress, there were more than a usual number of Poor Law subjects. But the hon. Member for Northampton (Mr. Gilpin), the Secretary, was not called upon to say a single word. In 1863 the President spoke fifty times and the Secretary three times, and then only when the President was absent on important business elsewhere. In 1862 the President addressed the House about forty times and the Secretary four times, while in 1861 the President had reason to address the House only twenty-two times and the Secretary not once. In 1860 the President spoke, but on twenty-four occasions the Secretary did not open his lips even once. So much for their Parliamentary labours. With regard to the duties which the Secretary discharged in his office, they were not easily to be ascertained in a direct way, but what they were could be judged of by other means. He did not wish to mention anything invidious with respect to the hon. Member for Northampton, who, he was sure, would not undertake any duty he could not conscientiously perform. But he found that the hon. Member was an officer of other important institutions. He was Chairman of a metropolitan bank, a Director of a provident society, and also of several railway companies, engagements which must necessarily take up a great deal of his time; but he was not to blame for that if his business at the Poor Law Board was so light as to enable him to undertake those duties, and certainly they did not require his presence in that House. The expenses of this Department were very heavy. He regretted very much that the expenses of the office itself were not examined into by the Committee appointed on the renewal of the Poor Law Board. This inquiry, the Right Hon. Gentleman who occupied the Chair, seems to have taken care was not entered on. He must say he thought that Gentleman ought rather to have been present as a witness before, than as a Member, much less Chairman, of the Committee—the Chairman having always great influence as to shaping the course of the inquiries entered on. In the year 1835, when it was first appointed, and when its labours were most arduous, the whole expenses of the Poor Law Board were £42,000 a year. In 1843 they had reached £56,000. In 1853 they more than doubled the first year, being nearly £90,000; while in 1865 the expenditure of the office alone amounted to £73,000. He was sure the noble Lord at the head of the Government did not intend to mislead the House when he said the other night that the Committee recommended that the office of Secretary should be continued. On looking at the proceedings he found that there were two Motions submitted to the Committee in reference to the officers connected with the Board. The first was that the Presidency should always be held by a Member of the lower House, but that was negatived. The other was proposed by the hon. Member for North Devon, that the expense of the central Board was excessive, and might be reduced by the abolition of the office of Parliamentary Secretary, and by such further reduction as might be consistent with the efficient discharge of the duties of the Board. A good deal of discussion, he was informed, took place upon that, and eventually it was allowed to be withdrawn, because the Committee had not sufficient information before it to arrive at any conclusion respecting it. With him (Mr. A. Smith) the saving merely of a salary was only a secondary consideration. He could not help feeling that for many years the official element was becoming more and more powerful in this House. It was not only powerful as regard the individual placeholders in the House, but there were also the expectants. They always saw on questions of economy the occupants of the Treasury Benches voted together, and those who hoped to sit on those Benches generally voted with them, and against any fair, reasonable, and sound retrenchment. The fact was, however, that no evidence was taken upon the subject, and therefore it was not quite fair in the noble Viscount to say the Committee recommended the office to be continued. He hoped the House would vindicate itself against the charge made against it by the Chancellor of the Exchequer, of being guilty of reckless liberality, and it had been said that it would go down to history as the prodigal Parliament; but, if the House now supported the retention of this sinecure, they might indeed be justly charged with reckless liberality.

Mr. HIBBERT seconded the Motion.

Motion made, and Question proposed,

> "That the office of the one Secretary, rendered capable of sitting or voting as a Member of the Commons' House of Parliament by the ninth Clause of the Poor Law Act, lately vacated, ought to be abolished."—(*Mr. Augustus Smith.*)

Mr. C. P. VILLIERS said, his hon. Friend had described the office of Secretary to the Poor Law Board as a sinecure which ought to be abolished, but he seemed to have forgotten what had been decided on this matter upon more than one occasion by the House. He also seemed to have forgotten what he was understood to say at an earlier part of his speech—namely, that he did not know much of the merits of the question, and that neither he nor the Committee upstairs knew what were the duties which belonged to the Office, and expressed his regret that the Committee did not inquire into the subject.

Mr. AUGUSTUS SMITH explained that what he stated was that it was not easy to ascertain what the office duties of the Parliamentary Secretary were.

Mr. C. P. VILLIERS: That amounts to pretty much the same thing, for it assigns the reason why my hon. Friend has not become informed about them. My hon. Friend said that the Committee had not taken any evidence. Now, I beg to say that other persons have inquired into this Office, and have collected the information that was necessary to enable them to form an opinion upon the subject. This matter has been deliberately discussed upon three different occasions in this House, and when the hon. Member gave notice of his Motion I presumed that he had some new matter to submit to us. This Office was discussed when the Bill by which it was created was before this House. Again, in the House of Lords the question was discussed. It was then asked whether a Secretary of this Department should be in Parliament, and it was assented to. But there was a still more important occasion upon which this subject was very deliberately considered; that was before the Committee which was appointed to inquire into the salaries of Government Departments in the year 1850. That Committee endeavoured to satisfy themselves, first, whether they could not reduce the salaries of the staff of the Poor Law Board, and next whether it was possible or not to reduce the establishment. To convince themselves upon these points they called before them the late Mr. Baines, then President. A more conscientious man, I believe, never sat in this House, and he was called upon by the Committee to answer certain questions with the conviction on their part that they might rely upon what he stated. He was asked—

> "Will you explain why it was thought necessary to have two paid Secretaries instead of one as under the old Commission?"

And he answered—

> "The Committee will observe that now there is practically but one Commissioner. Formerly there were three, who divided the business among them, but the responsibility now rests upon one Commissioner exclusively; and the same amount of work that was formerly distributed among three Commissioners and one Secretary is now distributed among a President and two Secretaries."
>
> "Mr. Bright.—Are you of opinion, Mr. Baines, that the expenses of your office, most particularly the staff of your Department, could be diminished?"—"I have considered the matter very fully with an anxious wish to effect a reduction, and I have consulted those of greater experience than myself, and the result of my deliberation is that it would not be possible to do with less with due regard to the efficiency of the public service."

I do not know whether or not the hon. Member was in the House at that time, but if he will look at the composition of that Committee he will see that its members would not have been satisfied with the mere opinion of one of the persons connected with the Department if they had not thought that he had reason for what he said. They did not recommend that the establishment should be reduced. They only recommended that the salary of one of the Secretaries should be reduced. That was done, and there the matter was supposed to end. Last year, in the course of the general inquiry into the operation of the Poor Laws, an hon. Member raised this question—whether it was not possible to reduce the establishment? Nor was that a mere passing notice. The subject was deliberately discussed one day, and as it was thought that there were not Members enough present, or that the question had not been sufficiently considered, another day was appointed for the continuance of the discussion. On the second occasion there was a large muster of the Committee—I think about fifteen Members; the subject was discussed for two or three hours, and almost every Member of the Committee was heard. The argument which was employed was, if I recollect rightly, that there was no reason why the Secretary of the Poor Law Board should not sit in the House as well as the second representative of any other Department—the Under Secretaries of State, for instance, or the Vice President of the Board of Trade, or the Vice President of the Council; and it was, as I thought, in consequence of his conviction that that view was a sound one, that the hon. Member who made the proposition withdrew it. Has my hon. Friend any objection to that argument? If not, this Department stands upon the ground of every other Department. It is one where there is business enough for a President and two Secretaries, and I see no reason for excluding the Secretary from this House. In the Committee referred to there was no question of taking evidence on the matter, nor was there any occasion for it. The Committee was not appointed or controlled by the Government; and I beg to say, in answer to some reflections of the hon. Member on myself for presiding on that Committee, that I did so not at my own desire—for I declined to take the chair—but in consequence of the wish of the Committee. It is not a very agreeable post, presiding over these Committees, because other gentlemen get tired of sitting and are able to withdraw; but the chairman cannot do so. Therefore, when the hon. Gentleman charged me with having guided the Committee and having forced myself into the chair, he was speaking at random. I certainly thought that after all the discussion that has taken place on this Office, which it was quite as open to him as to any one else to learn, he would have come before the House with some fresh information upon the subject. If the hon. Gentleman succeeds in his Motion he will establish an important precedent, for I never remember an occasion where the House was asked to vote blindfold as they are now. I do not believe that my hon. Friend wishes to attack any-one belonging to the Establishment, or to do anything which would be unfriendly or ungracious to the Department. I believe that he is moving on higher grounds. I believe that he considers the influence of the Crown too strong in this House, and that it ought to be diminished, and to abolish this place is one way of doing that. [Mr. AUGUSTUS SMITH: Hear!] I am quite sure that he is acting upon these high and general grounds, the House, therefore, must bear in mind what are his objects. If he gets rid of this Office—and he is wise to commence with the Poor Law Board, because it is always easy to get up a cry against that Department—how long will he be before he attacks the Board of Trade, or the Privy Council, or some of the other Establishments? I have not the least doubt that he is acting conscientiously, but I hope that he will allow the House to exercise freely their judgment as to the manner in which he is seeking to accomplish his objects, or whether they are objects in which they agree with him. I venture to say that he has selected rather an unfortunate moment for making his attack upon the Poor Law Board. He would have had a greater advantage if he had done it at the time when he says that he was not disposed to assail the Office, because its cost was less. He has chosen a time when the work of the Office is far greater than it ever was before. Since I have been at the Poor Law Board there has been more work done and more imposed upon the President than was ever the case before. There have been the public works in Lancashire, which has been the occasion of much anxiety—has involved the Board in a vast amount of correspondence, and in endless interviews with persons interested—there has been the work which has resulted from the Bill proposed by the Poor Law Board for providing the assessment of property in unions—a very difficult matter and one which gives rise to a great deal of trouble and correspondence. Besides all this, additional permanent business has been thrown upon the Office by the transfer, within the last two years, from the Privy Council to the Poor Law Board of the management of the education of the poor, so far as it depends upon State grants, which of itself has produced upwards of 500 Reports, all of which have to be read and considered. I do not think that my hon. Friend knows what the work of the President of that Board is, and I do not wish him so ill, as that he should know it from personal experience; but if he succeeds in this Motion, I assure him he ought to go further, and say that the President of the Poor Law Board ought not to sit in Parliament and certainly not to have a seat in the Council. Because, at present, what Mr. Baines said is perfectly true, that the work which was formerly distributed among three Commissioners, now devolves upon one. There is not a single matter which is supposed to receive the sanction of the Board for which the President is not responsible, whatever he may think. The duties of the President of the Board are exceedingly heavy. There is not a question which may arise upon anything which affects the moral, physical, or economical condition of the poor that must not be examined into, and decided by him, and in order that he may give a decision he must read all the papers that bear upon the subject. If a medical man misconducts himself or neglects a patient, an inquiry is held, evidence is taken, and it must all be read by the President before he can give his sanction to the report, or to opposite representation which may be made. The same course has to be pursued in the case of the chaplain and other officers or matters that are referred to him. Whatever receives the sanction of the Board, must be inquired into by the President. Then, during every Session that I have been at the Board, there has been a Committee, over which I have had to preside, occupying three or four hours of the morning, and only concluding when this House begins to sit. I have had then to come here to attend in my place in the House, and afterwards to return to my office and attend to business there for two or three hours. That alone would be a reason for having a Secretary in this House who might answer any question that is asked, or attend to any business that has to be done. I do not know how much the hon. Gentleman thinks that the President ought to do, but not having the advantage myself to sit for a very small constituency, feel that I am perfectly unable to do all that might be required of the President of the Poor Law Board in Parliament, and, I do venture to say, that I require some assistance. And although I should never have asked for further assistance or complained of having too much work, I do not hesitate to say that if you abolish this Secretaryship, one of the first things which you must do, and that before a year is out, is to appoint another Commissioner. I am convinced that if you inquire into the matter, with a view to learn the truth, you will find that you cannot get the business done properly or satisfactorily by the President alone. That is the result of my experience. I have no interest in saying so, because I do not suppose that any one could survive another year at that Board after having been there five years already, and, therefore, I am only speaking with a view to the future. There is no more objection, so far as I can see, to the President of the Poor Law Board being a Member of the Cabinet, than there is in the case of any other head of a public Department; but that would be impossible, if the hon. Member carries his Motion. You might, it is true, have a re-distribution of the service in this Office; and you might have another Commissioner instead of a Secretary in this House, but there should be some more valid reason than any that had been urged by my hon. Friend for thus abruptly changing the arrangement that at present exists, or to induce the House to declare that it was wrong in the decision to which it has on other occasions arrived.

Mr. HIBBERT said, he felt bound to support the Motion of his hon. Friend the Member for Truro (Mr. Augustus Smith). He was happy to bear testimony to the conscientious and able manner in which his duties while at the Poor Law Board had been fulfilled by the hon. Member for Northampton (Mr. Gilpin), nor did he wish to say a single word against the Department itself. It had well performed its functions in the case of the people of Lancashire, who were deeply thankful for its exertions in their behalf, and by whom it was regarded with a higher degree of favour than it had ever been before. The ground, then, on which he should vote for the Motion was because he believed that it never was intended, when the Act of 1847 was passed, that there should be in the House of Commons both a President and a Secretary connected with the Poor Law Board. In the discussions upon that Act it was stated that the intention was, that there should be a Secretary sitting in that House, while the President should have a seat in the House of Lords; and the then Secretary for the Home Department (Sir George Grey), in bringing in the Poor Law Administration Bill, said—

> "There will also be two Secretaries, and it is proposed that the President and one of the Secretaries shall have seats in Parliament. I do not say they both shall have seats in this House, but it is essential that the Board should be repre-

sented in this House by either the President or Secretary."—3 *Hansard* xcii. 343.

Now, he believed the fact to be that the President of the Poor Law Board had never since the passing of the Act occupied a seat in the House of Lords, but that he had sat, in conjunction with one of the Secretaries, in the House of Commons, so that the action of the Government in the matter had scarcely been in accordance with the intentions expressed when the measure was introduced. That being so, the better course, he thought, to pursue would be, instead of filling up the vacant Office, to postpone the appointment of a Parliamentary Secretary until the whole question of Poor Law administration came before the House, as it must do at a later period of the Session. The question would meantime, he hoped, be taken into their serious consideration by the Government. The appointment of a Parliamentary Secretary to the Board gave them no doubt an additional vote, but no one, he thought, could fairly maintain that the services of a second representative of the Department were required in that House. His hon. Friend (Mr. Augustus Smith) brought forward the Motion now for the reason that the Office was vacant. Any one who sat in the House, or who referred to *Hansard*, would soon find that it was unnecessary to have both the President and Secretary sitting in that House. Indeed, he believed his hon. Friend the Member for Northampton (Mr. Gilpin) had during the five years he held office spoken only five times on Poor Law matters, simply because in the discharge of his duty he was not called upon to do so oftener.

Mr. GILPIN said, he had not intended to take any part in the discussion of a Motion which only very narrowly escaped being a proposal for the abolition of himself, nor should he have risen at all but for the personal turn which, owing to the remarks made by the hon. Member for Truro (Mr. Augustus Smith), the debate had taken. That his hon. Friend should call the office of Parliamentary Secretary to the Poor Law Board a sinecure, simply proved that he did not know in what the duties of the office consisted. Of his own conduct while he occupied the Office he was not about to enter into any defence. Upon that point he should leave it to those Gentlemen upon both sides of the House who had had occasion to refer to him for information upon Poor Law matters, to form an opinion. He, of course, he might add, acquitted his hon. Friend of any intention to make an attack upon him; but it so happened, that like a celebrated knight of old, the hon. Gentleman had set his lance in rest to have a tilt at certain things he termed abuses—monsters of his own creation—and had run against the Poor Law Board, which he thought he had discovered to be merely a windmill. He, however, who had been inside that windmill as well as outside, could inform his hon. Friend that there was good work done there, and that if he thought the Poor Law Board was overweighted with officers, he was greatly mistaken. He had heard it suggested that the Head of the Board might be in the House of Lords, and it was not improbable that when the party opposite came into power that might be the case. He had made that remark simply because there was in the other House a nobleman of high talent, and in every way qualified to be at the head of a Department to the business connected with which he had devoted years of practical study. If such an appointment were made, would it be tolerated by the House of Commons that the Department should be unrepresented within its walls? He, for one, thought not. The hon. Member for Truro had alluded to his attention having been taken up by other matters than those which properly belonged to his office as Secretary to the Poor Law Board. To that he would reply with perfect good humour that his hon. Friend would find it very easy to satisfy himself, by inquiring whether he had or had not duly performed the duties which devolved on him in his public capacity, and if he had, that it was no more the business of his hon. Friend to inquire into his other engagements than it was his own to inquire into his hon. Friend's relations with his tenantry in the islands of Scilly. He had no personal interest in this matter; he was not likely ever to be again Secretary of the Poor Law Board, but he had this advantage, at least, over his hon. Friend, that he knew from experience what he was speaking of, what work had to be done in the Office, and he believed that if the House knew as well as he did the amount of that work they would not think that the office of Secretary to the Board ought to be abolished.

Mr. LYALL said, he was a member of the Committee to which allusion had been made that evening, and the question had been discussed whether the Parliamentary seat of the President of the Poor Law Board should be confined to the House of

Commons. That proposition was, however, negatived, and it then followed as a matter of course that there should be a Parliamentary Secretary; otherwise, if the President happened to be in the other House, there would be no one in the House of Commons to answer questions connected with the administration of the Department.

VISCOUNT PALMERSTON: I think the question at issue scarcely admits of argument after the able statement of my right hon. Friend near me (Mr. C. P. Villiers). I wish, however, the House to consider what is the tendency and what would be the probable effect of the Motion of the hon. Member for Truro. He says the Government is too strong in this House; but a very different opinion has more than once been expressed by many hon. Members. I have heard complaints made that the different Departments are not sufficiently represented here, in order, face to face with the House of Commons to explain and account for the conduct of those Departments. We were told last year that there were too many of the representatives of some of the great Deparments of the public service in the House of Lords, and that it was a constitutional principle that this House should have in it Members of all the Executive offices of the State, in order that full information with respect to them might be given to hon. Members when they required it, and defence and explanation offered for conduct that might be impugned. My right hon. Friend has stated that his public duties elsewhere might interfere from time to time with his being present here, and if there were no Parliamentary Secretary there would then be no person to furnish that information. As to the opinion of my hon. Friend (Mr. Augustus Smith) that the Office is a sinecure, I think that the statement of my right hon. Friend (Mr. C. P. Villiers), confirmed by that of my hon. Friend (Mr. Gilpin), who lately filled the office of Parliamentary Secretary, and whose valuable assistance I regret to say we have lost, completely disposes of the allegation that the Office is a sinecure. There is no more reason, in my opinion, why this Secretaryship should be abolished than that connected with any other of the public Departments, and I do hope that as the Office is necessary to the proper working of our system of Parliamentary responsibility the House will not accede, on what I cannot help thinking insufficient grounds, to the Motion of my hon. Friend.

SIR HENRY WILLOUGHBY could not see why the Poor Law Board should have two representatives in that House, and the Department of Woods and Forests not one. A Committee of that House had recommended that there should not be a second representative of the Poor Law Board in that House, and he thought the noble Lord at the head of the Government ought to have taken that opportunity of correcting—without any change in the number of office-holders in Parliament—the anomaly of the double representation of the Poor Law Board and of no representation of the Woods and Forests. He wished to see all Departments represented.

MR. NEWDEGATE said, the hon. Baronet the Member for Evesham had overlooked this fact, that the Poor Law Board was a body controlling the free action of the ratepayers and magistrates throughout the United Kingdom, and, therefore, could not be said to form part of the general representation of the kingdom, whereas the Woods and Forests had to perform duties of a purely economical character. This made it doubly important that an official from that Department should always be present in the House to answer questions.

MR. AUGUSTUS SMITH complained that he had been entirely misrepresented by the right hon. Gentleman (Mr. C. P. Villiers), and explained that he did not object to the representation of the Poor Law Board in that House, but he did complain that it should be represented by two Members; what he opposed was superfluous representation, and in his opinion one officer would be quite sufficient. In the case of other offices which had a double representation, one representative sat in the other House of Parliament. At present it was more largely represented than any other public Department of the Executive.

Question put.

The House *divided:*—Ayes 17; Noes 193: Majority 176.

UNION CHARGEABILITY BILL.

[BILL 31.] LEAVE. FIRST READING.

MR. C. P. VILLIERS: Sir, I rise to ask leave to introduce the Bill of which I have given notice, the purport of which is properly described in the terms of that notice as a Bill to provide for the better distribution of the charge for the relief of the poor in Unions. That is the limit of the Amendment which the Government intend to propose in that branch of the law which affects the settlement and removal of the poor. Greater purposes have been ascribed to their intention in another place, and it has been supposed that the object of this Bill would be to abolish at once the laws of settlement and removal. That was, however, a gratuitous assumption, and was not made upon the authority of any Member of the Government. I am not ignorant of the evils of the law of settlement and removal, but I am also aware of the difficulty of dealing with that subject. When I entered the Office of the Poor Law Board I was no stranger to the operation of the Poor Laws, either as they existed before the Amendment made in 1834 or since the passing of that Act. I was associated with the great inquiry that took place in 1832, and I believe that there has not been since that time one important inquiry into the operation of the Poor Law in this House on which I have not sat. I am, therefore, acquainted with the operation of the laws of settlement and removal, and also, as I have said, with the great difficulties of dealing with that subject. I certainly received an impression during those inquiries which I have never seen reason to change; which was, that the abuses, mismanagement, and malpractices which the inquiry disclosed were, more or less, directly or indirectly, to be attributed to the operation of the laws of settlement and removal. The system of settlement, as the House knows, was a device of the 17th century, that cast the burden of the support of the destitute poor upon the realized property of the country. Having operated for a length of time with great injustice and very capriciously, the remedy was devised of conferring upon the parochial divisions of the country the power in certain cases of removing the poor that sought relief and had become settled in those divisions. The right of claiming relief was given to the poor in the district where they became destitute, and the remedy was given to the owners of property there, subject to the conditions of law, to remove these claimants to some other district. The first enactment on this subject was passed in the reign of Elizabeth, and the second in the time of Charles II., and the parochial divisions having been extended to all the townships, and being altogether of the number of about 15,000, the practical operation of the law of settlement and removal has been for two centuries to array the arbitrary divisions of the country in active hostility to each other upon this matter, each being obliged by law to bear a burden, without reference to its extent or to the ability to bear it, and each having the right, subject to certain conditions, of casting the burden on its neighbours. That is the history — or, at least, the character — of the Poor Law for two centuries—15,000 arbitrary divisions saddled with the burden of relieving the poor within its own limits, and each trying to cast its burden upon the other without the slightest reference to the interest, the morals, or the well-being of the poor in any respect. We know in this House what has been the result of that system. The statute-book has been encumbered with every variety of enactment to mitigate the mischief and correct the errors of the system. Every one who is familiar with the proceedings of courts of justice is aware that the Law of Settlement and Removal has been the fertile source of litigation, expense, and discontent. It would have been well if the evils of the system ended there, but we know what irritation, discontent, and disaffection among the poor themselves have been occasioned by the schemes and devices invented by the parochial authorities in order to escape from their burdens. What might be called a climax, indeed, in the system was reached, as it were, in our own time. In 1830 this result manifested itself in something like a servile insurrection, the like of which had not occurred for five centuries before in this country. There are many persons still living who remember the terror which for the moment was produced by the riots and disturbances in the agricultural districts, and how universally they were ascribed to the long-continued maladministration of the Poor Laws. There was, perhaps, one redeeming circumstance in these events—namely, that they seemed to have first thoroughly awakened the State to the great importance of that policy that provides for the wants of the poor by a compulsory system of relief. These events seemed to have impressed the Government with the necessity of some closer relationship of the State with the responsibility of a proper application of this law. It was a question, before that time, among philanthropists and philosophers, whether a system of compulsory charity could be an advantage to society, or to the poor, and whether it was not dangerous to property. But of late years it may be said to be a settled conviction that this is a matter of sound policy, and that in a densely peopled country like this there must always be a great number of persons who, from a variety of circumstances — from sickness, infirmity, and bad habits of life—must be in danger of experiencing the extreme consequences of want, and that our present system of compulsory relief is deemed a matter no less of wisdom than of humanity. These views led to the appointment of the great Commission of Inquiry of 1832, composed of many of the ablest men in the kingdom, assisted by gentlemen who went into every part of the country, and made the fullest and most searching inquiry into the operation of a Poor Law, which had endured for upwards of two centuries and had produced such disastrous effects. I may here say with confidence that the first conclusion to which all the Commissioners came was that the parochial system had utterly broken down and failed, and that with such capricious and arbitrary divisions it was impossible to obtain an authority equal to the difficult and delicate task of distributing public relief to the poor. The foremost remedy determined upon then, was to extend the area of relief, and to accomplish this by a system of combination or union of parishes, each to be represented at a Board. The extension of the area and creation of the Board was not objected to, because the principle of representation, those who contributed to the rates, was recognised in the constitution of the Board. A house was then established for the maintenance of those who were relieved within, and officers of the union were appointed to distribute the relief to those who were to be relieved without. The next Amendment necessary was to establish such a system of supervision that would effectually prevent the recurrence of all the great irregularities that had existed throughout the country. A central authority was required that might gather experience from all parts of the country, enabling them to frame rules and regulations that they might then prescribe to the local boards, and thus secure uniformity and something like a wise and proper administration of the law. That was effected, and a great improvement was accomplished by the system that was thus established in accordance with the recommendations of the Commissioners. Rule and method took the place of confusion and disorder. The administration of relief to the poor was taken out of the hands of ignorant, illiterate, and irresponsible men, and placed in those selected for their competency, and many of the mischievous practices were put an end to that had prevailed throughout the country, and had been at the root of much of the riot and disaffection to which I have referred. The Commissioners, however, at that time, were not satisfied with what they had accomplished, because they had not completed the system which they had in view, in the changes they proposed. The principle of their system was based on the failure of the parochial system, and they considered that if those arbitrary areas were still left with power that many of the objectionable features of the former system would re-appear. But at that time there was considerable alarm among the influential ratepayers, who were afraid of having to contribute a greater share of the burden than they had had formerly. These persons were fully represented in Parliament, and they succeeded in preventing the Commissioners carrying out the plan they had in view, which was to do away with the parochial liablity for maintaining the poor, and to have Union administration and Union chargeability commensurate. I well recollect the disappointment of the Commissioners at being unable to carry out the principle to this extent; and the fact that the new Poor Law, although it has been attended with many advantages, has not succeeded to the extent its great advocates expected, is doubtless much to be ascribed to the failure of the Commissioners in this respect. To this circumstance are owing many of the malpractices and measures adopted by parishes for reducing their liability, such as that of driving the poor from their own into adjoining parishes, and the many evil results of that system, and which fall upon the poor in consequence. These have been frequently the subject of complaint both in this House and in the columns of the press, and it is known that many parishes have been overburdened with poor driven there by others to escape their fair share of the burden. This is owing to the parochial chargeability having been continued in deference to the opinions and interests of persons in this House. I doubt, indeed, if anything would have changed the system, but for what may be considered to have been accidental, which led to important alterations, and I trust will form the ground for still further improvement. This was in 1846, when there were great apprehensions that the landed interest might suffer from the change in our commercial system, and in resisting which, many statements were made in this House as to the peculiar liabilities to which that class of property was subject. Among those liabilities were particularized the consequences which resulted from the system of the removal and settlement of the poor. It was stated that those engaged in trade and manufacture induced the people to leave their villages when trade was brisk; but when the trade was bad the operatives were forthwith removed back to their parishes, where they were not required, and the burden of supporting them was thrown upon the land. The matter was then much discussed in this House, and among several other compensations that Sir Robert Peel devised for the relief of the landed interest a perfectly new system was proposed, namely, that wherever the poor had lived for five years they should not be removed to the place of their settlement. This, however, was not felt in practice to be a great boon to the landed interest, and, in fact, the parishes generally throughout the country were greatly incumbered by it. The overseers, acting in the full belief that they were properly discharging their duty, by every possible device, as by inducing the poor prematurely to accept relief, or to leave the parish when about to become irremovable in order to break the residence, endeavoured more zealously than ever to get rid of their poor in order that they might go before the expiration of their five years' residence. Then Mr. Bodkin, a Member of this House, proposed that, inasmuch as there was this serious aggravation of the charge which parishes had to bear, that the charge should be cast upon the union fund, that is the common fund, which had always been collected from the parishes in proportion to the number of their paupers, and distinct from the several parochial funds which were only applicable to the relief of their settled poor. But the instant this was put upon the union fund the parishes having always been charged to this fund, according to the number of their own poor, said, "We submitted to this regulation; but when you put other charges upon that common fund than those which relate to our own poor, it is a hardship to charge us upon that principle, for, by this means, those who have no poor at all are entirely exempt." When I entered upon my present office, I became Chairman of a Committee which had sat for two years, and I found the evidence overwhelming as to the extreme injustice of charging parishes according to the number of their poor, and relieving those parishes that had no poor altogether from contributing to the establishment charges, which was the case before the new system of irremovable poor not settled in the Union at all was adopted. This Committee then came to the conclusion that the whole system was faulty, and declared that the area of rating ought to be extended to the Union, that the whole cost for the poor in each Union should be chargeable on the common fund of the Union, that the establishment charges should be defrayed by the parishes in proportion to the valuation of their property, and not in proportion to the number of their poor, and that no person should be removed who had resided three years in the parish. This was a sort of revolution in the whole system of rating the property, and of relieving the poor of the parish, and the House then, much to its honour, carried a Bill, introduced for the purpose, giving effect to this Resolution, whereby every person who has lived in a parish for three years, without any other qualification, becomes irremovable, and his maintenance is to be provided for out of the union fund, to be contributed towards by everybody according to the value of his property. This is a very important change, effected three years ago, and which has been attended with such remarkable results so satisfactory indeed in their nature, as I think now justify me in asking the House to make a further advance and another change in the same direction. The general idea is, that if you do away with the Law of Removal particular districts would be overwhelmed with paupers, and property would be consumed by the rates. But what has really been the result of this experiment so far as it has gone? The results are, that the number of removals has decreased greatly, the number of irremovable paupers has largely increased, and the common fund, now subject to the control of the guardians, has been greatly augmented. The House, therefore, has an opportunity of considering how far the objections which have been taken to the principle of Union chargeability are just. No one will say—even of those who contend it is necessary — but that the removal of the poor is a very great evil— these, then, have diminished. In 1857 the number of poor removed was 16,546, at a cost of £21,500; in 1863, the year after this Bill was passed, making them irremovable after three years' residence, the number of removals had fallen to 13,601, at a cost of £18,717. Of course the passing of the Bill led to an increase in the number of irremovable poor, but one would hardly have been prepared to find that while in 1861, the year before the Act passed, the cost of irremovable paupers was only £852,372 it had increased in 1863, the year after the Act passed, to £1,413,610, and in 1864 to £1,433,990. There is one branch of this subject which received much attention from my predecessor, Mr. Baines—namely, the removal of the Irish poor. He was under much apprehension on this point—indeed, he was so little prepared to deal with it, that he left out the Irish altogether, in a measure he had proposed on this subject in the year 1854. In proposing the Three Years' Residence Bill, I did not omit then, but provided for all alike becoming irremovable, and required that if they were removed, that it should be done with humanity and care, not distinguishing between Irish and other removable paupers. In the year Mr. Baines proposed his Bill—1854—there were 16,047 Irish removals, and in the year 1857-8, 10,308, while in the year after the Three Years' Residence Bill was passed, there were only 1,212. The Irish removals from Liverpool alone, a great place for this class of removals, were in 1856, the last year we have had any account of them, 5,043. Last year there was not one, and the year before the number was very small indeed —I understand something under twenty. And I ask, if any one supposes that if these 1,212 Irish paupers had not been removed in the year 1863, any evil would have followed from it? But there is a general apprehension that if the guardians were allowed to apply the relief for the poor from so general a fund as the common or Union fund, they would be lax in its administration, and relief would be given indiscriminately. Well, we have some means of judging of that from what has already occurred. The total expenditure for relief in unions for the year ending Ladyday 1864, was £4,835,953, of which £2,468,508, or 51 per cent was charged to the common fund. Therefore the guardians have been administering during the last year out of this fund half of the whole sum raised for the relief of the poor. I ask whether there are any persons in this House conversant with the administration of the law who have ever heard of any evils or mischiefs that have arisen from the application of the funds from this particular source. I have made particular inquiry upon this point among persons of experience, and have directed the Inspectors to do the same, and the answer has always been that there has been no more laxity in administering this fund than the other whatever; the only thing is that at present there are two classes of paupers who come before the guardians—one class who are to be relieved from the union and the other from the parochial fund, and there is a great temptation to them to be more strict with regard to their own fund than that of the union. But that is an evil which can be remedied, and which will at once be cured by the operation of the Bill I am proposing. But there is evidence of a general kind with respect to this expenditure for the irremovable poor which is calculated to allay alarms on the ground of profuseness on the part of the guardians. In 1855, when the expenditure for the irremovable poor was only £793,648, the total cost of relief per head was 4*s.* 11*d.* upon the population; whereas in 1864, when the expenditure had increased to £1,433,990, the ratio per head was only 4*s.* 8*d.*, which was actually less, therefore, although the expenditure for the irremovable poor was very much more. I ask the attention of the House to these results, because it is the main point in the discussion as to carrying out this system farther. I say, then, there is no proof whatever that upon economical grounds there is any danger in casting the relief of the poor upon the general fund, or that danger will arise from the carelessness of guardians. We know they are particularly careful—some people say, too rigid, a great deal—when they have to provide for salaries or charges which fall upon the general fund. The question, therefore, is, whether these considerations should not lead you to carry the principle which you have already adopted still further, so as farther to diminish the number of the removable poor, to allow them to circulate, at least, freely in the unions, and prevent them from being carted out of places to which they are attached into places to which they are hardly known. I cannot help thinking that moral considerations connected with this subject will weigh with this House. The enormous evil of casting off poor people from a parish in which they have resided for a great part of their lives because they become chargeable should have an end. It is impossible to doubt that the system of settlement and the calculations which the poor and their employers make on this subject, and the means which parishes devise in order to escape from their liability of supporting the poor, produce the most injurious results upon their conduct and character. We have very high authority also for tracing to this source the lamentable want of cottage accommodation that still exists in the rural districts. I remember hearing my late distinguished relative, Sir George Lewis, in his evidence before the Committee on Settlement and Poor Removal in 1847, speak thus—

> "One of the principal effects of the law of (Parochial) Settlement is on the building of cottages, and that effect it has exercised ever since its first introduction. I could refer the Committee even to pages in *Arthur Young's Letters*, in which he deplores the effect of the Settlement Law as leading to the demolition of cottages."

And Mr. Baines said in this House ten years ago, when introducing his Bill on the 10th of February, 1854—

> "It is with regard to the residence of the labouring classes that the law is productive of the most cruel hardship of all. . . . Many respectable witnesses examined before the Committee of 1847, and before the gentlemen appointed by the Poor Law Board in 1848, give numerous instances, within their own knowledge, of labourers having to walk several miles to work every morning, and as far home every night. . . . The labour which the farmer thus procures is deteriorated in value, and the open parish in which he (the labourer) dwells is often so overcrowded with labourers driven into it from the neighbouring close parishes that the greatest evils, social, sanitary, and moral, are found to be the result."

Let not people say this was ten years ago, and that the evils of the system are at an end. The evils still exist, and will continue to exist as long as the power, the interest, and the same motives for getting rid of the poor also exist; evils that are deplorable on social, sanitary, and moral grounds. I do not intend to give the House the pain of listening to the details of the mischiefs which I hold in my hand, because I trust that hon. Gentlemen are inclined to give a fair consideration to my proposal. I will not state at present what I could state on this subject, and that from very recent reports. I may refer, however, to what is to be found in the Census Returns, which would lead to the conclusion that the dwellings for the poor are being reduced. I find in the Census Returns that in 821 agricultural parishes in England there has been between 1851 and 1861 a decrease of houses accompanied with an increase of population. The total decrease of houses in these agricultural parishes within these ten years has been 3,118, while the increase in the number of persons has been 16,497. These documents, I believe, furnish proof of the continuance of the evils which have been remarked upon long since and lamented by the highest authorities. Looking, therefore, to the advantage which has been derived from some modification of the system of settlement and removal within the last three years, I will now ask the House to allow me to introduce a Bill for carrying still further the better principle which will, I believe, remove many existing evils, which will be of great benefit to the poor, and will not impose any fresh burden or entail any hardship upon property. It is with these objects that I propose that the union fund shall in future be made available for the maintenance of all the poor within the union. I propose to extend the area of charge from the parish to the union—and thus to make the charge commensurate with the administration. When we have already proof that 51 per cent of that which is charged upon the union fund is now wisely administered by the guardians, and have no proof of any evil, but rather of a mitigation of many evils, that have existed, I come forward on strong grounds to recommend the extension of a system which this Parliament has already sanctioned. The Bill will be a very simple and short one, because all that is necessary is to repeal a clause in the Act 4 & 5 *Will.* IV., called the New Poor Law Amendment Act, which provides for the retention of the parochial system of settlement. The Bill will cast the poor upon the general fund; and, what is extremely important, will transfer the power of removal from the overseers to the guardians. These are the two principal features of the measure which I now propose. One of its effects would be at once the cessation of all removal between parish and parish in the same union. And then, according to the opinion and experience of the most competent authorities, removals would at least fall off one-half between union and union. An overseer may be, and often is, uneducated, incompetent, and almost irresponsible; but he believes it to be his duty when he finds a man in a parish not properly settled there to do all in his power to shift and shuffle him off elsewhere, and for this purpose he will take long journeys all over the country at the expense of his parish. But everybody who knows anything of the guardians know that they proverbially shrink from all the expense and litigation and trouble that arise on questions of settlement. I am very glad to have an opportunity of referring to the experience of the working, in a particular case, of the system which I now ask the House to sanction. The House naturally proceeds with caution in such matters, and it is well to refer to experience in order to ascertain what is likely to follow from the course which I propose. I should observe that the promoters of the New Poor Law being disappointed in not being able to accomplish what they intended to be the general law, inserted in that Act a provision by which, if the guardians in a union were unanimous, they could combine to unite all the parishes of a union so as to make them one for Poor Law purposes. As might have been expected, there has almost invariably been some one or more dissentient; but there is one case in which unanimity was found, and the system has been in operation for a sufficient number of years to enable us to judge of its results. There is a district in Norfolk, in which the guardians were unanimous, and they formed themselves into one union, such as I propose should be formed throughout the whole country under this Bill. And now on the point of economy—as to whether this measure is likely to increase the expenditure for Poor Law purposes—I shall state to the House what has been the result in the Docking Union—the one to which I am referring. In the three years which preceded the arrangement of forming the several parishes into one for the purposes of rating and settlement—namely, the years 1846, 1847, and 1848, the average expenditure on relief was £9,828; in the three years 1856, 1857, and 1858 it was only £8,773, showing a decrease of £1,055, or 10·73 per cent. In the seven unions nearest to Docking the decrease during the same period was only 1·82 per cent. But I have communicated with the chairman of the Docking Union to know from him whether he is satisfied with the results of the system. The following are the question and answer on this point:—

> "Whether after fifteen years have elapsed since the Docking Union was constituted a union for settlement, &c., I and my colleagues have any reason to regret that our union has been thus constituted?—For myself, and also for those guardians with whom I have been associated mainly, in conducting the weekly business of the union, I can answer that we have discovered no reason to entertain any regret that our union has been constituted one parish; but, on the contrary, that our united experience has resulted in a conviction that much benefit has been derived from its establishment."

Now, a good many people, whether sincere or not I do not know, say that under the parochial system a great inducement is given to ratepayers to employ labourers, and that many of the former zealously look out for labourers who are not exactly able-bodied and give them employment, and that this inducement would be taken away under the union system. On this point a question was put to the chairman of the Docking Union, and here it is with the answer—

> "Whether second rate, or partially able-bodied, labourers have failed to find employment, because no longer directly chargeable to their respective parishes?—I believe this class of labourers now experience less difficulty in finding employment, as they have less repugnance to move about the union in search of work. But that which to me seems of the most importance and the most valuable result of this measure is that the character of the able-bodied labourer is now much more appreciated by himself, from the knowledge that there exists no longer any reluctance on the part of employers to find good and constant work for a good, steady, and industrious man, come from whatever parish he may in the union, an employer having, in fact, a decided preference for such a labourer, to one, in his own parish, of a doubtful character."

It is satisfactory to know that; but there is another important point upon which there is a question and answer—

> "Whether removal by orders of magistrates have been fewer?—As a consequence of our present system, removal orders from one parish to another in the Docking Union have entirely ceased, a not very inconsiderable advantage; and I believe I am justified (judging from the reports of our county sessions) in adding that removal orders to other unions have greatly diminished, from the fact that the guardians are now more vigilant in investigating all cases of doubtful settlement ere they run hastily into the expenses entailed by resorting to a court of law."

The House will see that experience in the Docking Union literally verifies what those who had advocated the systems of uniting the parishes of a union for rating and settlement felt must be the result of its operation, and this experience of fifteen years is a very strong recommendation of the general measure which I now propose. I should like to read the opinion of a very experienced person who has lately written a paper on this subject. This gentleman, Mr. J. L. Foster, is the editor of a very widely circulated Conservative paper, and an old guardian of the York Union, which includes a number of agricultural parishes. I shall read one extract from his letter. He says—

> "One important result I anticipate from the transfer of all relief to the common fund; it will have a tendency to obliterate any spirit of selfishness in those who are intrusted with the responsible duties of a Poor Paw Guardian. They will no longer feel, as some men possibly do, that their principal mission to the board room is to watch the particular interests of their own parish, and that they have no concern in the general business of the union. There will be no longer an arena for conflict as to chargeability between one parish and another. The attention of the guardians will be directed to consider the necessities of the applicants and the assistance which their cases require; to supervise the general business of the union and the conduct of the officers. In fact, they will have one object in common."

Considering that there is evidence of this character to be found as accessible to every one as it is to me, and doubtless familiar to many in this House, I can hardly anticipate any great opposition to the introduction, nor, indeed, to the passing of this Bill. In a case like this there will be opposition, no doubt, as there must be some disturbance of existing charges, and some people may have to contribute more than they have done, but I cannot suppose that will be sufficient to prevent Parliament from passing a Bill having useful and general objects. The measure which I proposed on a former occasion by which different parishes were made to contribute to the union according to the value of their property, instead of the number of their poor, and which passed by a large majority in this House, effected a far greater change as regards redistribution of charge than the one which I am now submitting to your consideration. There were instances of hon. Members who, though one of the effects of that measure was to entail considerable sacrifice on their part, and though it was known at the time that such would be one of its effects, admitted it was of so valuable a character to the poor that they could not think of offering it any opposition on personal or interested grounds. The hon. Member for Cheshire stated, I think, that in several parishes his interests were opposed to it, but that, knowing it would be of such advantage to the poor, he gave it his cordial support. When it was brought up to the other House it was introduced by my lamented Friend the late Duke of Newcastle, whose interests were directly opposed to it. Seeing, therefore, the success of that measure, and that this is likely to result in even greater advantage, seeing the numerous evils that will be removed by it, seeing what benefits it may confer upon the poor, and in promoting good feeling between labourer and employer, between tenant and landlord, between servant and master, by removing from their mind considerations that spring out of the present system, I feel great confidence in asking leave of this House to bring in this Bill; and with perfect confidence in this Parliament and this House I now ask leave to bring in the Bill.

Moved, That leave be given to bring in a Bill "to provide for the better Distribution of the Relief of the Poor in Unions."—(*Mr. C. P. Villiers.*)

MR. HENLEY said, he had no intention of offering any opposition to the introduction of this Bill; but the right hon. Gentleman the President of the Poor Law Board, in the last portion of his speech, had touched on a matter respecting which it would have been a great advantage if he had afforded some information—namely, what the amount of the shifting of burdens would be. It would be very desirable before they came to decide the question that he should give the House that information, for, no doubt, it was in his power to do so. The right hon. Gentleman stated that the change made in the law as regarded the removal of the poor was one made in the interest of the landlords on the repeal of the Corn Laws. Now, that great boon to the poor arose out of the terrible distress resulting from the sending back from the manufacturing districts in 1840, 1841, and 1842, of great masses of people who had gone to work in those districts. That was the foundation of the change. It had nothing whatever to do with the Corn Laws. The right hon. Gentleman said, also, that the riots of 1831 and 1832 were owing to the settlement laws. He was old enough to remember them; and, living as he did in the middle of England, had seen something of them, and he never heard them attributed to that course before. There was great distress in the country; the changes from the great war were just working out; there were changes in the currency also; the agricultural interest died hard, and the repeal of the beer duty no doubt had a great deal to do with them. They were "swing" riots, and took the form of breaking machinery. But though he was in them, he had never before heard them attributed to the Settlement Laws. The right hon. Gentleman also touched upon the question of the desire to get rid of people in cottages. Since the new Poor Law, and since the different modes of settlement had been done away with, a poor man could not easily get a settlement in a cottage, and he believed that the right hon. Gentleman's Bill, if it passed into law, would lead to a very extensive pulling down of cottages. Looked at in a proprietary view, cottages were a dead charge on the owners of estates, and did not pay the expense of keeping them up; and a system like the Scotch was growing up, he believed, of letting a certain number of cottages with each farm for a few labourers—such as carters and shepherds—and leaving the farmer to get the rest of his labourers where he could, away from the spot. He thought that system would extend under this Bill. The thing which ought to be kept in view was the amount of shifting of the burden. He could not understand the reason for the right hon. Gentleman saying that the overseers, in whose hands the removals were, were ignorant, uneducated men, for they were of the same class as the guardians. A man who was overseer one day was guardian the next, and why he should be educated when he was guardian and ignorant when he was overseer could only be explained by some peculiar information in the private possession of the Poor Law Board. The right hon. Gentleman had put the common fund charges at 51 per cent; and he hoped he would be able to tell them how much of that 51 per cent was establishment charges, and how much relief charges; because, with all the flourish of trumpets which accompanied the administration of the Poor Law system, he believed the establishment charges were very heavy. When the House almost unanimously agreed to do away with the removability of certain persons who had resided for a certain number of years, the charge was put on the common fund, without any consideration of the proportion in which the common fund was contributed. But when those charges came to increase, of course the common fund showed an inequality, and there was greater reason for complaint, as it was a new charge to which people had not been liable before. He hoped the right hon. Gentleman would allow some time to elapse between the printing of the Bill and the second reading, in order that hon. Gentlemen might take counsel with their constituents. As it was to be a short Bill, there was more reason for delay, as it was the principle rather than the details which would have to be considered. He hoped, therefore, the measure would not be unduly pressed forward.

Mr. LOCKE said, that he regretted that the right hon. Gentleman, in bringing in his Bill, had not complied with the recommendation of the Committee that in any legislation to extend the area of charge or management particular attention should be paid to the requirements of the metropolis. When the Bill of 1861 was before the House he had showed that so far from the substitution of three years for five years being a relief to the metropolis it would be a burden to it, casting an extra charge upon the large single parishes; and he hoped his right hon. Friend would in his Casual Poor Bill pay particular attention to the peculiar requirements of the metropolis. This Bill, like the three years' Bill, would be a detriment to the several parishes, especially those that were unions in themselves. This he had shown to be the case with respect to St. George the Martyr, in Southwark. A statement had been prepared by the Board of Guardians of that parish showing the number of persons who had become chargeable as irremovable poor there, who, but for that Act must have been relieved in other parishes where they had a settlement; and this statement he had the honour of laying before the President of the Poor Law Board, when he introduced a deputation from the Guardians of St. George the Martyr, on the subject of the equalization of the poor rates in the metropolis. From this statement it appeared that a great number of persons who had no legal settlement in St. George's parish had become irremovable in consequence of their three years' residence, and this poor parish had to bear the consequent expense. Now, what advantage did this Bill afford to the poor parishes in the metropolis? Why, none whatever; and it would seem strange only to pass a Bill such as this, which left out of consideration the interests of the metropolis, consisting now of between three and four millions, or nearly one-fifth of the entire population of England. Recent legislation had cast great burdens upon parishes in the poorer parts of the metropolis. They had passed Bills for new streets, new railways running through London, and they were about to pull down a large number of houses for the new courts of law. Now, the poor people who were removed to make way for these improvements were driven across the water into districts where they were crowded in the most deplorable manner, into small tenements which had, some of them, nine people in a room. No provision was made for them in the richer parishes from which they were dislodged. Two thousand poor persons were driven out when Victoria Street was made, and the dean and chapter, when asked, said that they had made no provision for them, and that they must go across the water. They did so, and remaining three years became chargeable there. There was no doubt that great grievances occurred in reference to the inadequate supply of cottages in the rural districts; but the evil was much more severe in London, where it affected thousands instead of hundreds of people. The borough of Southwark was a gridiron of railways, for there was scarcely a street but was crossed by one or more of them. There was the South Western, the Brighton, the South Eastern, and the London, Chatham, and Dover, which passed through whole districts covered with houses. To such an extent had this affected the locality that the constituency even had decreased, and of course the effect was much more serious upon the poorer classes who had no votes. He hoped that his right hon. Friend would take this question into his serious consideration. He (Mr. Locke) had proposed an Amendment in Committee, on the Irremovable Poor Bill of 1861, that for the purposes of that Act the metropolitan district should form one union, which was rejected. And in the Committee which concluded its labours last Session, he had moved the resolution—

> "That the circumstances of the metropolis are so peculiar that in any legislation to extend the area of charge for management, it would be necessary to have regard to those circumstances."

This resolution was adopted by the Committee unanimously. The metropolis, in his opinion, ought to form one union only, for all the interests of the various parts of the metropolis were bound up together. The City of London, for instance, employed an immense amount of labour, and a vast proportion of the people who did the work lived in Southwark and Lambeth, and these districts had to support them if they became chargeable, though the whole benefit of their labour had been given to those who carried on business in London. In the Tower Hamlets, also, there was an immense number of persons who worked in the docks, which were owned by shareholders living in all parts of the town, and yet the poor who became chargeable among these labourers had to be supported solely by the parishes in which they dwelt. He thought that these matters called loudly for consideration, and he trusted that when his right hon. Friend (Mr. C. P. Villiers) brought in his Bill to continue the Casual Poor Act another Bill also would be introduced to carry out what might be called his promise to the Committee, who unanimously passed a Resolution that the metropolis was entitled to peculiar consideration in this matter.

Motion *agreed to.*

Bill *ordered* to be brought in by Mr. C. P. Villiers and Sir George Grey.

Bill *presented,* and read 1°. [Bill 31.]

House adjourned at a quarter after Eight o'clock.

HOUSE OF LORDS,

Tuesday, February 21, 1865.

MINUTES.]—Public Bill — *First Reading*— County Courts Equitable Jurisdiction (9).

COUNTY COURTS EQUITABLE JURISDICTION BILL—(No. 9).

BILL PRESENTED. FIRST READING.

The LORD CHANCELLOR: — My Lords, in rising to present to your Lordships a Bill to confer a certain limited jurisdiction in equity in the county courts of England and Wales, I have to state that these courts have at present a jurisdiction not extending beyond the authority exercised by the courts of common law. Your Lordships are aware that there is at present a great and marked difference between the subjects that are properly within the jurisdiction of the courts of equity and those which come under that of the courts of common law. A great number of matters in which the poorer classes are materially interested do not come within the range of the jurisdiction of the County Courts as at present established, and therefore frequently there is a denial of justice in such cases. One of the most frequent instances of the denial of justice under the present system arises in this way. Suppose a man in humble circumstances dies intestate; his property may amount to £120, or even £150, and he may leave a widow and children; and frequently the widow is the step-mother of the children. It constantly happens that disputes arise among the family with regard to the division of such small estates, and, unfortunately, when they do arise, the only possibility of their being determined and the amount equitably distributed under the existing system is by resort to the Court of Chancery. Now, although the expenses of litigation in the Court of Chancery have of late years been much diminished, yet when cases of such small amount arise they cannot be determined in a court of equity unless they are brought to London, which requires the agency of solicitors residing in London and also of others in the country. All the necessary communications require the concurrence of these different solicitors, and all matters which demand proof have to be proved by evidence collected in the country and transmitted to London. The result of this system is that in such cases as I have supposed of a small amount of property, if there be injustice, that injustice cannot be redressed—and consequently these poor families suffer a denial of justice—because there is at present no tribunal which can take cognizance of the case because it does not involve sufficient property to pay the expenses incurred. Another source of great injustice and inconvenience to the poorer classes, and which amounts also to a denial of justice to them, arises in this way:—A dispute may take place between two tradesmen in a country town who are in partnership, which may lead to a desire to dissolve the partnership and wind up their affairs by having an account taken and applying the property in payment of the joint debts. Now, that cannot be done by the County Courts under the present system, the only tribunal available for such a purpose being the Court of Chancery; and the expenses of that court are so great as to prevent resort to it in small cases; and it practically, therefore, amounts to a denial of justice. There are many other cases—such, for instance, as small mortgages—involving the necessity of a speedy appeal to some court where the proceedings are not so expensive nor the process so slow as of necessity characterizes the superior tribunals. There again is an urgent necessity for some cheap and speedy remedy, to be administered by tribunals which ought to be at the door of the poor man, and to which he might resort in an easy and simple manner. I will not weary your Lordships by adding other instances in support of the principle of the Bill, because I believe the necessity of the measure to be generally admitted. The measure I now present to Parliament formed a part of a larger scheme laid before this House last Session. My anxiety was excited very much at that time, from observing the great number of persons committed to prison by the process of the County Courts—a process which appears to me to be injurious to the greatest possible extent, and which is founded upon a system which leads poor men into habits of great improvidence, makes them the slave, in a great measure, of the shopkeeper, and obliges them to pay a higher amount for the goods which they have to purchase for their families. My Lords, I am sorry to say that my proposal of last year excited, as your Lordships will remember, very grave opposition throughout the country, showing how extensive and deeply rooted was the system of giving credit, and the large amount of profit which was derived by shopkeepers from the present system, in consequence of the power which the County Courts gave them to deal with these poor men, and though I felt convinced that it would have been a great benefit to the poor man, your Lordships will recollect that I gave up that Bill. But I was induced to do so in a great measure because I had succeeded in otherwise making some alterations in the proceedings of County Courts which, at that time, I believed would result in much relief to the poor. I am happy to say that my anticipations in that respect have been realized, for I find that though the rules to which I refer were only made in the end of 1863, and did not come into operation till 1864, while the number of persons actually committed to prison in 1863 was 8,583, and in 1862 9,373, the number in 1864—I trust in a great measure, owing to the operation of the new rules—was only 6,428, being 2,155 less than the number in 1863. There is another alteration in the practice of the County Courts, which I propose to recommend to the Judges of these Courts, and, though at first sight it may appear a trifling one, I think it is likely to be very beneficial in its operation. At present the order made by the County Court Judge may be carried into effect by a sale of the goods of the debtor, or by his imprisonment; but, in the first instance, it frequently occurs that a time is given for the payment of the debt by monthly instalments. Now, how does this work? Let us suppose the case of a man in humble circumstances — a labourer for instance—who has been ordered to pay a sum in that way — say four shillings a month, which is one shilling a week. It may probably happen that if he has got a shilling, or two or three shillings, in his pocket which he has been saving up against the end of the month, when the instalment is to be paid, some temptation may arise, some emergency may occur, which he is unable to restrain himself from yielding to, and not being in a position to pay the next instalment he is sent to prison for non-obedience to the order. I propose to recommend to the County Court Judges to introduce, as far as they can do so, the practice of ordering the instalments to be paid weekly instead of monthly; and I have every hope that the result of this change will be to induce the poor man to obey the order, and so to diminish the number of commitments. There is another proposal which I sought to give effect to in the Bill of last year, but which is not in the measure now before your Lordships' House. Your Lordships are aware that the term after which debts are barred by the Statute of Limitations is at present six years. I thought that term too long in the case of small County Court debts, and by the Bill of last year I proposed to reduce that term to one year. That, however, gave rise to great complaint. I hope to introduce some general measure with the object of reducing the present term, and fixing it at two years instead of one year—the proposal of last Session. There is another proposal, with reference to actions in County Courts, which I intend to make one of the subjects of a separate measure—namely, that actions shall not be brought for the score of ale or other liquor consumed in a public-house. As to the Bill which I am now about to lay upon your Lordships' table I hope it may pass through Parliament, for I feel satisfied that it will improve our County Court system, and remove from it some of those imperfections which are so much complained of, and which press with severity on the humbler classes.

The noble and learned Lord *presented* a Bill to confer on the County Courts a limited Jurisdiction in Equity.

Bill read 1ª. (No. 9.)

House adjourned at half past Five
o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, February 21, 1865.

MINUTES.]—NEW MEMBER SWORN—*for* Truro, Frederick Martin Williams, esquire.

SELECT COMMITTEE—Open Spaces (Metropolis), *nominated* (*List of Committee*); Africa, Western Coast, *appointed* (*List of Committee*); Controverted Elections *appointed* by Mr. Speaker and *nominated* (*List of Committee*).

PUBLIC BILLS—*Resolutions in Committee*—Industrial Exhibitions*; Courts of Justice Building [Deficiencies, &c.]*; Common Law Courts (Fees)*.

Ordered—Bankruptcy and Insolvency (Ireland) Act Amendment*; Industrial Exhibitions; Church Rates Commutation*; Borough Franchise Extension; Libel; Railway Construction Facilities*.

First Reading—Borough Franchise Extension [32]; Libel [33]; Bankruptcy and Insolvency (Ireland) Act Amendment* [34]; Church Rates Commutation* [35]; Industrial Exhibitions* [36]; Railway Construction Facilities Act (1864) Amendment* [37].

Select Committee—On Mortgage Debentures, &c. Bills; Mr. Pollard-Urquhart and Mr. Longfield *added*.

Committee—Civil Bill Courts Procedure (Ireland) Act (1864) Amendment* [29].

Report—Civil Bill Courts Procedure (Ireland) Act (1864) Amendment* [29].

Third Reading—Game Licences (Ireland)* [16]; Dublin International Exhibition (1865)* [17], and *passed*.

CHELTENHAM AND GLOCESTERSHIRE WATER BILL—(*by Order.*)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

LORD ROBERT MONTAGU said, he rose to move that the Bill be read a second time that day six months. The object of the Bill was to divert 1,000,000 gallons of water daily from the Thames, and take it into the valley of the Severn. This would seriously affect the health, cleanliness, and comforts of all the towns and villages, including the metropolis, which were supplied by the Thames. They should be warned by the extent to which they had allowed the evil to grow up in other quarters. The supply of water to the town of Cheltenham was entirely insufficient, and it was now sought to obtain an additional supply from the springs which fed the Churn, which, in its turn, ran into the Thames. When a town within the limits of the water shed of the Thames took water from the river and afterwards returned it, though in a polluted state, the volume of water in the stream was not diminished. In this instance, however, Cheltenham proposed to take 1,000,000 gallons of pure water daily from the sources of the Thames and not to return a drop of it. The consequences of that would be that the volume and scouring power of the stream being diminished, shoals and flats would be created, and the proportion of sewage to pure water would be seriously increased. For these reasons, although he did not wish to be unfair to the people of Cheltenham, who it was said obtained only about four gallons of water per head per day, and who complained that the Severn was so foul that they could not draw a supply from it, he felt it his duty to move that the Bill should be read a second time that day six months.

Mr. NEATE, in seconding the Motion, said, that although he was not instructed by his constituents to oppose the Bill, which probably arose from their not being aware of its importance, he was informed that the University authorities at Oxford greatly objected to it on the ground that it would interfere with the supply of pure water to that city. The Thames Conservancy Board had petitioned against the Bill, and he had no doubt that a similar step would have been taken by the Thames Navigation Commissioners had it not been for the circumstance that they were in a state of bankruptcy, and had, in fact, thrown up their trust. The time was coming when towns and landed proprietors must look to other sources than rivers for their supply of water, and when it would be necessary to create in different parts of the country large reservoirs to retain the rain and winter water.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

Mr. DODSON said, he must admit that the Bill was in many respects one of a peculiar character, inasmuch as it took extensive powers of water supply over a large area of ground and for a numerous population. The noble Lord (Lord Robert Montagu) had urged that it would deprive the Thames of a considerable amount of its water supply, and the hon. Member for Oxford (Mr. Neate) had taken a similar line, but these statements were disputed by the promoters of the Bill, who denied that the Thames, if at all, would be seriously affected. They asserted that the water which they proposed to abstract from that river would be infinitesimal in quantity, and in no way prejudicial to the towns and villages along its course. With such diametrically opposite statements before them he thought that the best course would be to pass the Bill on to the Committee, where alone all the facts of the case could be carefully investigated.

Mr. HUTT said, that the Bill involved some very important questions which probably had hitherto been overlooked by the Legislature—namely, whether a commercial country should be permitted to abstract from its streams and rivers any quantity of water that might be deemed necessary for commercial purposes, and without providing any compensating supply to those who were interested in the preservation of the water. He thought that such powers should never be given lightly or gratuitously to any parties or persons whatever. But of this he was especially convinced, that the House would make a great mistake if, in the present condition of our rivers and streams, it allowed such powers to be taken. The present condition of our rivers and streams was a matter for very serious consideration, and perhaps had not been sufficiently looked after by them whose duty it was to guard and foster the cleanliness and wellbeing of the people. The comforts and health of our population would be seriously compromised if all persons who were desirous of establishing water companies should be permitted to divert large portions of our water supply from the natural water courses of the country. Under these circumstances, he had felt very much disposed to support the Motion of the noble Lord, but having heard the reasons given by his hon. Friend the Chairman of Committees, perhaps the better course would be to send the Bill to the Committee, whose Members having heard the opinions of the House would no doubt give the main question their most serious consideration.

SIR GEORGE BOWYER said, as a Member of the defunct Thames Navigation Commission, there was no doubt that if that body had not been in the unfortunate condition which had been described by the hon. Member for Oxford (Mr. Neate) it would have petitioned against this Bill. The right hon. Gentleman the Vice President of the Board of Trade (Mr. Hutt) had given reasons which must have convinced every one that this Bill ought not to be allowed to proceed; but, unfortunately, he had failed to convince himself. As to the reasons given by the Chairman of Ways and Means (Mr. Dodson) that the facts were controverted, and that the quantity of water to be taken from the Thames would be infinitesimal, he (Sir George Bowyer) replied that he did not understand that the promoters denied that they were about to take 1,000,000 gallons of water a day from the Thames; he did not think that such a quantity could be treated as an infinitesimal one, and if it was infinitesimal, it could do no good to the people of Cheltenham. The state of the river Thames was such that no water, however small the quantity, ought to be abstracted from it, and therefore the best thing that the House could do would be to reject the Bill.

MR. J. J. POWELL said, that the bankruptcy of the Thames Navigation Commission, although a reason why it should not engage in an opposition before a Committee, was none why it should not petition against this Bill; and, therefore, in the absence of any petition from that body, he had a right to assume that they did not seriously object to it. It was important that the House should understand the real state of this question. Cheltenham, a town with something like 40,000 or 50,000 inhabitants, had for years been suffering severely from the want of a proper supply of water, and two schemes had been suggested for supplying the deficiency. One, which was put forward by the old water company, was to take the water from the river Severn; but the state of that river was such as to render any other measure preferable to this. The Severn had become the sewer of the Midland district, and drained an area of not less than 6,000 square miles, with a population of 1,000,000. The cities of Glocester and Worcester, Tewkesbury, Kidderminster, Bewdley, Shrewsbury, and other places, drained into it; dye works, tan works, and works of all descriptions poured their abominations into the stream, and the consequence was that salmon and other fish were often found floating in it, either sick or dead. One proposal was to take this water and give it to the inhabitants of Cheltenham, and certainly if any other scheme could be suggested it deserved consideration. Another scheme had been proposed, and it was to take from the hills which surrounded Cheltenham a portion of the water which was found there in great abundance and allow it to flow into the town. What possible harm could that do to any one? The springs were on the ground of the promoters, who were, of course, anxious that these works should be carried out; and what harm could this measure do to the Lambeth Water Company, whose petition had been presented by the noble Lord (Lord Robert Montagu)? The springs yielded at present, he was informed, 166 cubic feet of water per minute, or about 1,500,000 gallons daily; of which 1,000,000 now found its way into the Thames. Even if this quantity were abstracted by the Bill the consequence would be merely infinitesimal. At Lechlade there flowed into the Thames from 43,000,000 to 48,000,000, and at Staines from 350,000,000 to 400,000,000 gallons of water daily; and, therefore, in what possible manner could the Thames or the Lambeth Water Company be injured by taking 1,000,000, gallons a day to supply the necessary and immediate wants of the people of Cheltenham? The noble Lord said they were about to drain the Thames, but he might as well accuse them of setting fire to it. The Vice President of the Board of Trade intimated that private companies ought not to be allowed to take water for the supply of towns from public springs; but where else were they to look for it? The principle of permitting such application of springs had already been recognized and acted upon in the case of Swansea and in that of Liverpool. He submitted that, however strong a case the noble Lord and those who thought with him might make out before a Committee, this was not a matter which ought to be disposed of without full and complete inquiry, of the necessity for which a striking proof was to be found in the incorrectness of some of the statements contained in the petition presented by the noble Lord.

MR. HENLEY said, his constituents took a considerable interest in this matter. The Bill professed to take the Thames water into the Severn valley. The metropolis had been compelled to pay

£3,000,000 or £4,000,000 to get rid of its sewage. Oxford, Reading, Abingdon, and other towns were drained into the Thames. No man could tell how long the natural disinfecting processes furnished by the earth, weeds, and fish, would keep the water sweet down to Teddington, whence we obtained our drinking water. Occasionally even now the water came to Teddington in a state unfit for use. It was said that the water proposed to be taken by this Bill was infinitesimal in quantity. But it was 1,000,000 gallons a day; and if this were allowed, another town would make a similar request, and so on till the river was spoiled. The right hon. Gentleman the Vice President of the Board of Trade had laid down principles so sound that he (Mr. Henley) could not understand how he could support the Bill. The right hon. Gentleman had stated, with the greatest truth, that the question of the pollution of streams was one that forced itself on the public attention, and one that must be dealt with, although it was difficult to find a remedy for the evil; and, under these circumstances, the House ought not to permit such a step as this, which might materially affect the whole of the valley of the Thames. If the Bill got upstairs, there would be no one to protect the interests of the public. He would, therefore, vote against the second reading of the Bill.

Colonel KINGSCOTE said, the inhabitants of Cheltenham were all but deprived of water. There were two schemes now before the House for giving them a supply, one from the Severn, the other from the Thames. Cheltenham lay close to the hills in which rose springs, some of which were said to be the source of the Thames; but it was a mistake to suppose that the large quantity of water mentioned would be abstracted from the Thames, for there were springs from which a supply might be derived without touching the Thames at all, as everybody acquainted with the position of Cheltenham must be aware. He hoped, therefore, the House would allow the Bill to be sent to a Select Committee.

Question put, That the word "now" stand part of the Question.

The House *divided*:—Ayes 88; Noes 118; Majority 30.

Words *added*. Main Question as amended, put, and *agreed to*.

Bill *put off* for six months.

NEW-CROSS ROADS BILL.—(*By Order.*)

Order for Second Reading read.

Mr. ANGERSTEIN said, on the ground that the promoters of this measure were not quite ready with all their facts, he would beg to move that the second reading of this Bill, which stood on the Orders, be postponed for a fortnight.

Motion made, and Question proposed, "That the Bill be read a second time upon this day fortnight."—(*Mr. Angerstein.*)

Mr. LOCKE said, he thought the postponement had better be for six months, at the end of which Parliament would not be sitting. He should, therefore, move that the Bill be read a second time that day six months. The question involved was not one of those which it was necessary to send to a Select Committee. Every hon. Member understood it. It was whether they liked turnpikes? The opinion of the House had been fully expressed; and one of the results was that all the turnpikes in the northern portion of the metropolitan district had already been abolished. There could be no doubt that a like act of justice ought to be done with regard to the turnpikes on the south side. This turnpike trust would expire this year. Its original period expired in 1846; but it had since been kept alive by the Annual General Turnpike Acts. The trust extended a long distance into the country, but the "sinews of war" were raised in the metropolitan district. The gate was well known to those who went to Greenwich by the old road. The first gate on it was that at the Green Man, which was either in the parish of St. George the Martyr or Camberwell, each of which parishes repaired its own roads. This Bill proposed to do away with the Green Man Gate. The trustees could not have the face to keep up a gate in a parish which paid for its own roads, so they moved the gate a short distance farther to New Cross. This was a perfectly preposterous proceeding. The Surrey and Sussex Road Trust did not care to ask for a renewal. The hon. Member for Greenwich (Mr. Angerstein) appeared on behalf of Deptford. But why was Deptford to have its roads kept up by parishes in its vicinity? He could see no reason why the principle which had been adopted on the north part of the metropolitan district should not be extended to the south.

Amendment proposed, to leave out the word "fortnight," and insert the words "six months" instead thereof.

Mr. ANGERSTEIN said, it was patent to the House why the hon. Member opposed the Bill. He was a Member for Southwark. The roads in the trust in question were thirty-seven miles and a quarter in length. Originally there were eighteen parishes in the trust. Two of these—Camberwell and St. George the Martyr—had expressed a desire to be eliminated. Of the other sixteen parishes nine were in favour of the Bill and four against it, the remainder being neutral. What would be the effect if this Bill were not passed; Deptford would be taxed to the extent of £1,700 a year; Greenwich, 3,000 a year; Lewisham, £3,700 a year. When the House considered that a large district would be punished in that way if the Bill were not allowed to pass, he thought they would not agree to the Amendment, but that their feelings of justice would prompt them to permit the Bill to go into Committee, there to be discussed and decided upon on its merits.

Mr. LAYARD said, he thought if any argument were required to reject the Bill, it was the argument of the hon. Gentleman the Member for Greenwich, that the parishes he had mentioned would then have to pay for their own roads. He did not see why the large populations of Bermondsey, Southwark, and Camberwell should be called upon to pay for the roads of Deptford and Greenwich.

Mr. T. G. BARING said, it was agreed on all hands that turnpikes within the metropolitan district were exceedingly inconvenient, and ought to be abolished as soon as possible. That was the course taken on the northern side, and the Government this year had selected three trusts—the Surrey and Sussex, the Bermondsey and Rotherhithe, and the New Cross trusts, all unaffected by incumbrances, as those with regard to which a similar policy should be pursued. If the House approved of the principle that turnpike trusts ought to be abolished when the trusts themselves were free from debt, they would reject this Bill.

Question, "That the word 'fortnight' stand part of the Question," put, and *negatived.*

Words *added.* Main Question as amended, put, and *agreed to.*

Bill *put off* for six months.

WIMBLEDON COMMON BILL.

SECOND READING POSTPONED.

Viscount BURY said, that as a Select Committee would probably be appointed that night, on the Motion of the hon. Member for Lambeth (Mr. Doulton), to consider the best means of preserving open spaces in the metropolis, he (Viscount Bury) would postpone the second reading of this Bill until the 21st of March. He would add, that Lord Spencer felt that many of the provisions of this Bill were misunderstood out of doors, and that further time for its consideration was required.

Second reading *deferred* till *Tuesday,* 21st March.

FEES OF PARLIAMENTARY COUNSEL.

QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the President of the Board of Trade, Whether the Members of the Parliamentary Bar have come to any agreement, that the practice before Parliamentary Committees shall be open to the Bar in general, on the same terms in regard to fees as prevail in the ordinary Courts of Law and Equity?

Mr. MILNER GIBSON said, that he was led to the conclusion, from the inquiries he had made, that a counsel practising before Committees of the House was at liberty to accept any fee which he might regard as a proper and adequate remuneration for the duties he was discharging. He concluded that counsel might accept any fee that the Bar in general might take in the ordinary course of practice.

EXTENSION OF NEW PALACE YARD.

QUESTION.

Sir JOHN SHELLEY said, he wished to ask the First Commissioner of Works, Whether any decision has been come to, and if so, in what way it is proposed to deal with the vacant ground between Bridge Street and New Palace Yard?

Mr. COWPER said, he thought the House would agree with him that the large open space between Westminster Bridge and Victoria Street, and the magnificent view of Westminster Abbey from that point, rendered it inexpedient to encumber that open space with any buildings. He proposed to lay an Estimate on the table for facing with stone the unfinished part of the clock tower, and also for erecting an ornamental railing in the position now marked out by the south line of Bridge Street. According to that plan the vacant ground lately occupied by the houses would become part of New Palace Yard. He thought the opportunity ought to be taken of improving the general architectural effect of St. Margaret's Square, as well as Palace Yard, so as to give a more direct communication for carriages between Victoria Street and Westminster Bridge, and also between Great George Street and Abingdon Street. He thought if the open space was properly dealt with, it would add to the convenience as well as beauty of the site, and make it one of the most ornamental in the metropolis.

WRECKS ON THE COAST OF DEVON AND CORNWALL.

QUESTION.

MR. KEKEWICH said, he would beg to ask the President of the Board of Trade, Whether his attention has been called to the large number of wrecks which have lately occurred on the north-west coast of Devon and Cornwall; and whether it is the intention of the Government to establish a Harbour of Refuge on that coast for the protection of the shipping?

MR. MILNER GIBSON said, in reply, that no doubt there had been many wrecks on the north-west coast of Cornwall and Devon, but he was not aware that last year was an exceptional year. It was not the intention, however, of the Government to propose any Vote of money for the establishment of Harbours of Refuge on that coast. There were other parts of the coast where a greater number of wrecks had taken place, more especially during the last year.

GOVERNMENT LIFE ANNUITY BILL.

QUESTION.

MR. HODGKINSON said, he would beg to ask Mr. Chancellor of the Exchequer, Under what circumstances and why the Order made on the 13th of February for printing the Tables which were on the 10th of February laid upon the table of the House, with reference to the Government Life Annuity and Life Assurance Bill of last Session, was subsequently discharged; and whether, notwithstanding the discharge of such Order, it is intended that such Tables shall be acted upon at the expiration of thirty days from the 10th of February, pursuant to the 6th section of the Act; and when the regulations to be made pursuant to the 16th section of the Act will be laid upon the table of the House, as directed by that section?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he had no direct knowledge of the circumstances under which the Order made on the 13th of February for printing the Tables laid on the table of the House on the 10th of February, with reference to the Government Life Annuity and Life Assurance Act of last Session, was discharged; but upon inquiry he learnt that it was discharged at the request of the Printing Committee, and for a very obvious reason. As soon as the Tables reached the Government, the Government ordered them to be put in type, and the printing was almost finished. He believed the Tables would be circulated to-morrow morning. The Government had been very anxious to expedite the printing of the Tables; but as they referred to sums of money which persons would have to pay in return for a certain benefit, it was necessary to be extremely accurate, and that had caused the printing to occupy a much longer time than he could have wished. He apprehended it was fixed by law that the Tables would take effect in thirty days after the time when they were laid on the table of the House. The general regulations of assurance and annuity business were directed to be laid on the table of the House; but the time of the commencement of the operation of the Act was not dependent upon the time when those regulations were presented. When those regulations were all made complete, and nothing but a few verbal matters remained to be considered, they would be laid on the table.

SCIENCE AND ART DEPARTMENT.

QUESTION.

MR. POTTER said, he wished to ask the Vice President of the Committee of Council on Education, Whether the Report of the Department of Science and Art for the year 1864 will be issued previous to the Estimates for the Schools of Art and the South Kensington Museum being moved for?

MR. H. A. BRUCE said, the Report of the Science and Art Department included the Report of five or six other Scientific Institutions, and the Report of them had not yet been received; but he had every reason to believe that the general Report would be laid on the table before Easter. The printing of the Report would probably occupy a month or five weeks.

NAVY—REPAIRS OF THE "ROYAL SOVEREIGN," &c.—QUESTION.

Sir JAMES ELPHINSTONE said, he rose to ask the Secretary to the Admiralty, If he will lay upon the table of the House a list of the alterations and repairs executed on the *Royal Sovereign, Prince Consort,* and *Royal Alfred,* from the 1st day of September, 1864, till this time, and the cost of the same, specifying each item separately?

Lord CLARENCE PAGET said, in reply, that he would have no objection to lay upon the table the general items of the cost of repairs and alterations of the *Royal Sovereign* and *Prince Consort.* With regard to the *Royal Alfred,* she was not complete, and therefore the Returns would be of no value. After her completion there would be no objection to produce the Returns if moved for. To specify each item separately, however, would make the document very voluminous, and he hoped, therefore, the hon. Gentleman would be satisfied with the general items showing the cost.

NAVY ACCOUNTS, &c.—QUESTION.

Lord ROBERT MONTAGU said, he wished to ask the Secretary to the Treasury, in reference to the answer which he gave on Friday, Whether (in accordance with the provisions of the Act 9 & 10 *Vict.* c. 92) the accounts of the Receipt and Expenditure of the Navy, together with the Reports of the Commissioners of Audit, were laid before the House of Commons within one week after the assembling of Parliament; whether (in accordance with the Act 24 & 25 *Vict.* c. 93) the Accounts of the Customs, of the Inland Revenue, and of the Post Office, were laid before the House of Commons within one week after the assembling of Parliament; and whether (in accordance with the Act 14 & 15 *Vict.* c. 42) the Commissioners of Works and Public Buildings, and the Commissioners of Her Majesty's Woods, Forests, and Landed Revenue transmitted their Accounts to the Audit Office on or before the 30th day November last past; and whether those Accounts, together with the Auditors' Reports thereon, were transmitted to the Treasury on or before the 31st of January last, to be laid before Parliament?

Mr. PEEL said, in reply, that the directions of all the Acts of Parliament had been properly complied with. The Navy Accounts had been presented on the first day of the Session, the Revenue Accounts had been laid upon the table within one week after the meeting of Parliament, and the Works and Buildings and Woods and Forests Accounts had been sent to the Audit Board before the end of October, and had been duly returned to the Treasury before the close of last month.

CONTROVERTED ELECTIONS.

GENERAL COMMITTEE OF ELECTIONS.

The Right Hon. Sir Francis Thornhill Baring, Baronet, Member for the Borough of Portsmouth, Right Hon. Spencer Horatio Walpole, Member for the University of Cambridge, Sir William Miles, Baronet, Member for the Eastern Division of the County of Somerset, George Ward Hunt, Esq., Member for the Northern Division of the County of Northampton, and John Bonham-Carter, Esq., Member for the City of Winchester, being five of the Members appointed by Mr. Speaker to serve on the General Committee of Elections, and not objected to by the House, were sworn at the Table by the Clerk.

COMMONS AND OPEN SPACES.

SELECT COMMITTEE.

Mr. DOULTON, in rising to move for a Select Committee to inquire into the best means of preserving for the public use the Forests, Commons, and Open Spaces in and around the metropolis, said, that the question of preserving for public use our forests and common lands around the metropolis had been so often under the consideration of the House that it would not be necessary for him to occupy more than a few minutes in asking for a Select Committee. The House had already upon more than one occasion given a very decided opinion upon this question. In 1863, upon the Motion of the hon. Member for Maldon (Mr. Peacocke), the House passed a Resolution for an Address to Her Majesty calling upon her to exercise the rights which she still possessed with regard to Epping Forest. At the close of the last Session the House, by a decided majority, expressed its opinion that it was the duty of the Government or of some other body to provide for the preservation of the commons or open spaces around the metropolis. There was this one very remarkable fact in connection with these debates, that though there was naturally a considerable divergence of opinion as to the policy of the course then suggested, there seemed to be but one opinion as to the urgent necessity of a Parliamentary inquiry into the whole question. Indeed, it seemed to be one of those questions which did not admit of delay, and the difficulties of which grew in proportion as Parliament refrained from a full investigation :—indeed, if they might judge the future from the past, there seemed to be little doubt that unless Parliament adopted some course calculated to lead to a practical solution of the question, the question would settle itself, or rather there would be few commons and open spaces near the metropolis which would not be disposed of for purposes other than those which Parliament believed to be their legitimate use. If any hon. Member doubted the necessity of inquiry, he would remind him that there had been introduced this Session a Bill which proposed to deal with one of the most important and valuable of the commons around the metropolis—he alluded to Wimbledon Common. He wished to express no opinion upon that Bill, but merely to say that it furnished a strong reason for inquiry. In proposing the appointment of this Committee he was but following out the opinions and wishes the House had already expressed. In order to prevent misapprehension, he would say that it was not his desire for one moment to propose this inquiry with a view to enclosing these open spaces and commons and keeping them as neat and trimly laid out parks. His desire was rather this—that the commons should be preserved in their present wild state, which he believed to be their greatest charm, and that those by whom these commons had been specially used should still have them for that free, uncontrolled, and, he might say, boisterous enjoyment which it was impossible for them to have in parks under restrictions. The metropolis was well provided with parks. Besides the older parks, there were now Battersea and Victoria Parks, a park was now in the course of formation in Finsbury, and in a few weeks a new park would be commenced at Bermondsey. What was wanted was to preserve the commons around the metropolis with all their present irregularities. There was one point in connection with this subject to which he was anxious to call attention, and it was this—that the expense of the maintenance of the enclosed parks involved a prodigious annual outlay of public money. Last year a sum exceeding £6,000 was voted for the maintenance of Battersea Park, which was only 200 acres in extent, and £6,000 was also voted for Victoria Park, which was only 300 acres. Hon. Gentlemen would see that, while the expense for maintaining the open spaces, which gave the greatest enjoyment, might be reckoned by hundreds, that for preserving the parks must be reckoned by thousands. It had been said that those who sought to preserve these open spaces wished to obtain great public advantages by the confiscation of private rights. But no such wish was entertained, and at all events the House of Commons would be the last to favour a design of this sort. He wished to say in the strongest manner that it was his desire to respect and not to invade the rights of property, and to give full value for any interests which were trenched upon. But other than private rights were concerned in this question, public rights made sacred by the usage of centuries were involved ; and he hoped the result of the Committee would be some suggestion or measure which would on the one hand preserve for the public the enjoyment of those open spaces, and on the other to reserve without encroachment all private rights. The hon. Member then moved that a Select Committee be appointed.

Mr. Alderman ROSE said, he rose to second the Motion. The question was one connected with a movement now going on the importance of which was scarcely recognized by the public at large or the House. It was intended to postpone the Bill for the enclosure of Wimbledon Common for a month to await the result of this Committee, and if the Committee were appointed he hoped they would get such information as would prevent so great a public outrage as the enclosure of that common being perpetrated. It was said that the noble Lord who was interested in the Bill (Earl Spencer), was only influenced by a desire to do a public benefit ; but Members of the House had an opportunity of judging for themselves of the public spirit of the operation. If they would take a ride from Battersea Park to Wandsworth Common they would see how the latter place was being appropriated by the noble Lord. He did not hesitate to say that in the appropriation of Wandsworth Common there was not a public right which had not been sacrificed, and contrary as he thought, to law. The only roadway from north to south was so narrow that foot-passengers were in danger of being run over; a workhouse and a burial ground had been planted on the common, and a large space of ground was occupied by a railway company, and apparently for no earthly purpose. In addition, all kinds of incongruous buildings—four-roomed, six-roomed, or indeed any kind were springing up; and all this upon land which a few years ago was public property. This was how the noble Lord showed his public spirit; and what was done on Wandsworth Common he now wished to extend to Wimbledon. He wished that before the Bill was passed for this enclosure, the Committee now proposed would have reported on the whole subject.

Moved, That a Select Committee be appointed "to inquire into the best means of preserving for the public use the Forests, Commons, and Open Spaces in and around the Metropolis."—(*Mr. Doulton.*)

VISCOUNT BURY said, that being one of the Members who had charge of the Bill which had been stigmatized by the last speaker as a public outrage, he could not remain silent. He desired to say that whatever might be thought of the enclosure of Wimbledon Common it was certain that Earl Spencer proposed to dedicate to the public, rights which were believed by his legal adviser to be of very considerable extent; and the noble Lord was surely perpetrating no public outrage when he took the only constitutional way of bringing the subject of that gift before the public. Lord Spencer's legal position was such that he need not have applied to this House for power to do that which the Enclosure Bill proposed to do. However that might be, and whatever his rights might be, his Lordship was quite willing —nay, desired—that the whole question should be referred to the Committee which had just been moved for, so that it might there be discussed. Lord Spencer did not shrink from inquiry—he courted it; and if upon consideration the Committee objected to the enclosure the noble Lord would no doubt be prepared to consider whether he should not give up the power of enclosure. At any rate, this and other questions were to be referred to the Committee and to be discussed by them, and meanwhile he protested against the language of the hon. Gentleman, as to whom the Mover of this Resolution might well say, "Save me from my friends!" Having postponed the Wimbledon Common Bill in order that the Committee might decide upon it, he could only express his hope that the House would accede to the Motion.

COLONEL NORTH said, he did not know anything about Wandsworth Common, but could not for a moment agree to what had been said by the hon. Member for Southampton (Mr. Alderman Rose) as to Wimbledon. It was hardly necessary to defend Earl Spencer's character, for everyone who knew him would feel that what had been said of him by the hon. Member was perfectly unjust. He had himself property at Putney, and with other owners of property was opposed to the enclosure of Wimbledon Common; but, however they might differ from Lord Spencer as to the mode of carrying out his views, no one could have acted more candidly, fairly, and liberally. He (Colonel North) was against the enclosure of the common, but then that was only his individual opinion. The public had for years enjoyed Wimbledon Common in all its natural wildness, and he thought it should be continued in that state rather than be converted into an ornamental park. Earl Spencer said, that if when the subject came before the Committee the feeling there was adverse to enclosure he would reconsider the subject; and he was sure his Lordship would carry out this promise.

MR. ALDERMAN ROSE said, that if he had expressed his opinions in other than the ordinary terms allowed in debate he would readily apoligize. He felt strongly on the subject, and if he had used unparliamentary terms he would willingly withdraw them.

MR. JACKSON said, that before the Committee was appointed the House ought clearly to understand whether this was only the beginning of a further charge upon the Consolidated Fund. They all remembered how that Fund had become chargeable in connection with matters of science and art. No less a sum than £60,000 had been spent out of the Imperial exchequer for Battersea Park; and though it was said that the park would pay itself by the sale of surplus property, he hoped the House would never sanction the Government becoming speculators in building land. He trusted it would be clearly understood that whatever was done by the Committee or upon their Report, there would be no demand for money from the Consolidated Fund.

MR. LOCKE said, he would support this Motion as he had supported a similar one last year, which was carried by a large majority, but it being late in the Session there was no time to appoint a Committee. The duties of the Committee now to be appointed would therefore be simplified inasmuch as they would not have to inquire whether these spaces should be kept open, but where the money for keeping them open was to come from. His hon. Friend was correct in assuming this, and deprecated any grant from the public purse for the purpose. Now, he did not agree with this view, and was sorry that his hon. Friend did not feel more for the capital of his country. Hon. Members came up to town from their constituencies and performed their duties here in the most exemplary manner; but when they went down to their constituents they often forgot the enlarged views which they had imbibed here, and adopted the contracted views which were enjoyed by some persons in the country. So it was with his hon. Friend. His hon. Friend represented a constituency far away from the metropolis. No man was more constant in gracing the House with his presence, and when in London no one was more generous or more delighted to enjoy the parks which were the ornaments of the metropolis; but when in the country he forgot his duty to the capital of his country, and he adopted the views of the hon. Member for West Norfolk (Mr. Bentinck), and objected to a single shilling of Imperial money being laid out on London. Nevertheless, it was necessary to do something more for the metropolis, to which everybody came, than for every small town out of London. What had been done with respect to Battersea Park? It certainly was beautifully laid out, but a toll was put on Chelsea Bridge, and the consequence was that the land which surrounded the park, and which otherwise might be let to advantage, could not be let at all now. No persons would take houses situated in such a place that they could not go from it into the land of the living on the northern bank of the river without paying toll, except on a Sunday, Christmas Day, and Good Friday. The hon. Member for West Norfolk was very effective on a former occasion in objecting to the toll being taken off Chelsea Bridge, on the principle that the House had no right to spend anything upon the metropolis; but there would have been no necessity to spend public money on Battersea Park if the toll had been taken off Chelsea Bridge, for the land in the neighbourhood, belonging to Government, would then have become so valuable that the proceeds would have defrayed all the expense. He would not now go into the question of Wimbledon Common further than to say that he confessed to having a strong feeling against any fence tending to restrict the enjoyment of the people being set up in open spaces; but, as far as he could collect, he understood that the noble Lord who proposed to lay out Wimbledon Common would be ready to be guided by the decision of the Committee now moved for, whatever that decision might be. He trusted that Clapham Common would always be preserved in its present state. Wandsworth Common, unfortunately, had been converted into a most detestable place, but not entirely by the noble Lord. A railway went through it, and he never understood that a railway cutting could possibly improve any spot. A large school and prison were also there; but those were more public establishments than anything else, and he did not think that the noble Lord could be taken to task entirely for them, though, no doubt, he gave his consent to their construction. The Committee now moved for was proposed with the view of protecting the rights of the public against invasion, and if it should be able to lay down any clear and just principles with regard to these common lands to be embodied in a Bill, then, so far from the time of the Gentlemen serving on it being thrown away, a great advantage would be conferred upon the public.

MR. BENTINCK said, he did not object to any amount of money being spent on the decoration of the metropolis, but he contended that it ought not to come out of the Imperial purse. He was at a loss to conceive on what possible ground of fairness and equity a claim could be made by the metropolis upon the public purse for its improvement and adornment, when if any other city in the country made a similar claim it would be hooted and scorned. He hoped that as long as the House of Commons exercised a control over that purse it would oppose itself to these rapacious proceedings.

MR. TORRENS inquired to what distance from the metropolis would the proposed inquiry apply.

MR. DOULTON: Fifteen miles.

MR. COWPER said, that last year, when the hon. Member for Lambeth (Mr.

Doulton) brought this subject before the House, he suggested that he should move for a Select Committee, and he was glad he had acted upon that suggestion. The subject was one of great interest and importance to all residing in London, but a great deal of information respecting it was required before it could be ripe for legislation, and he believed that the details which the Committee would receive would be valuable. At present London was peculiarly fortunate, both as to the parks which were chiefly in the centre of it, and as to the large open spaces which surrounded it on all sides. There were within the limits of the metropolis no less than twenty-eight commons and greens open freely to the public. These were becoming every day of greater importance to the people, because the railways enabled great numbers of the poorest as well as the richer classes to enjoy them; while, on the other hand, the rapid and enormous growth of the City had a constant tendency to destroy them. Saffron Hill, Rosemary Lane, Mayfair, and other places whose pleasant names recalled the memory of agreeable walks, had long since been engulphed, and the progress of building naturally presented a temptation to convert the rights in commons into money. He thought that the private rights over such places were worth being bought by a wealthy city like this, and preserved to the people. He agreed that what were wanted in the suburbs of London were not so much ornamental parks as open spaces in their natural beauty and native wildness; but he must turn a deaf ear to the persuasions of the hon. and learned Member for Southwark (Mr. Locke), who seemed to think that the expenditure required for preserving and maintaining those places should come out of the national purse. It seemed to him that the expenditure required for the preservation of these suburban places of recreation, was peculiarly local and municipal, and had nothing Imperial in its character—they were for the advantage of the residents of the metropolis; and it was the opinion of the Government that if this Committee were granted, and they wished it to be so understood, it would be a waste of time for them to turn their attention to the question of meeting the expenditure out of Imperial funds. He knew it was the custom to say that the ratepayers of the metropolis were already too heavily burdened, but there were resources still undeveloped; for instance, one large class of property did not contribute directly to permanent improvements of the metropolis—the owners of the fee simple of land did not pay in that capacity, all the expenditure being drawn from the occupiers. He thought his hon. Friend had made out good ground for his Motion. The preservation of these open spaces was important to the health and enjoyment of those who lived in the metropolis; and he thought that consideration might be usefully given by the Committee to questions of fact and law, and application of metropolitan funds, which might prepare the way for future action.

MR. PEACOCKE said, that where the lord of the manor and the homage could come to terms together, it was unnecessary to apply to Parliament for any further powers with respect to enclosure; but if they were unable to come to terms, then an application to Parliament for such powers was requisite. The whole question as to Wimbledon Common turned upon whether Lord Spencer had the right to enclose in conjunction with the homage. If he had the right to do so, with the consent of the homage, there was no necessity for coming to that House. If, on the other hand, the right was disputed, it was only natural that he should endeavour to obtain the sanction of the Legislature for his proposal. If he was giving up any of his rights to the public, it was, of course, very disinterested in him. Some persons who dwelt in the neighbourhood said he had not these legal rights. It was proposed to refer it to a Select Committee to inquire into the subject, and ascertain, at all events, what *primâ facie* case could be made out; and then, with the Committee's Report before it, the House would be able to see what was to be done. If Lord Spencer had illegally dealt with Wandsworth Common, why did not the gentlemen living in the neighbourhood form themselves into a committee and club together for the protection of their rights?

MR. SHAW LEFEVRE said, that no doubt the last speaker was right in saying that if the public had no legal right to be upon, or to use the commons, the lord of the manor could at any time, with the consent of the commoners, enclose a common. But if, on the contrary, the public had any rights over the common, the lord could not enclose without an Act of Parliament. The question of Wimbledon Common was one of detail, and it would, no doubt, be brought before the Committee. After reading the correspondence, he was satisfied that Lord Spencer had intended to act in an extremely generous spirit towards the public. It was a question how far the noble Lord's views might meet the wishes of the people of Wimbledon; and if he was dissatisfied with the reception it had met with, he might console himself with the reflection that persons who did generous things of that kind did not always get the credit they deserved, because, while he was giving up what might be of great prospective value to him, they were only receiving that which they had always enjoyed. But, he would address himself to the case of commons, where, perhaps, they could not expect the lords of the manor to be so generous, such as those of Blackheath, Hampstead, Clapham, and many others, and he believed there were about seventy commons and greens of various sizes within fifteen miles of London, which were all in jeopardy under the present state of things. The state of the law as regarded public rights was very embarrassing and unsatisfactory, and certainly not such as those who advocated the cause of the public could desire. Through the later decisions of the Courts of Law, what were recognized at one time as the rights and customs of the public in respect to recreation had been almost refined away to nothing. It was very unfortunate that that should be so; and it would, he thought, be one of the most important duties of the Committee to investigate what the rights of the public really were, and see whether rights which had in fact been enjoyed for many centuries could not be restored to the people. He would, first of all, call the attention of the House to one of the first cases in which public rights in this matter were acknowledged in a court of law. It occurred in the days of Charles II., when public amusements revived after the duller times of the Puritans. The inhabitants of a town claimed the right of dancing on a common in their immediate vicinity, and Sir Matthew Hale decided that it was a good custom, and that it was necessary for the inhabitants to have their recreation.—(*Abbott* v. *Weekly*, 1 *Levinz's Reports*, 176.) That was always regarded as a leading case in which the rights of the public had been properly determined. But there always appeared to be a kind of dualism at work in our courts of law—a contest between the opposite principles of good and evil—and whenever a good principle was laid down by one Judge, another Judge came afterwards and, while acknowledging the previous decision, showed how it could be refined away until nothing of it was left. He would point out how the grand principle of Sir Matthew Hale came to be frittered away. Soon after the case that he had mentioned had been decided, another came before one of our courts, in which the inhabitants of a parish claimed by custom from time immemorial to enjoy the liberty of playing at all kinds of lawful games, sports, and pastimes, at all seasonable times of the year, at their free will and pleasure. They also put their claim in another form, pleading the same custom for all persons at the time being in the said parish. The court acknowledged the validity of the decision which he had already quoted, but said—

> "It has been objected that it it is not alleged that the pastimes were allowed for the necessary recreation of the inhabitants; but the case in 1 *Levinz* decides that it is necessary for the inhabitants to have such recreation; if so, it is matter of law. But the custom unfolded in the second plea is as untenable as the first is tenable; because what is there stated may be claimed by all the inhabitants of England. Customs must be in their nature confined to individuals within a certain district."—(*Fitch* v. *Rawlings*, 2 *H. Bl.* 393.

That was the first entrance of the evil spirit which got rid of the rights of the people, declaring that although when confined to the inhabitants of a particular place the right was good, yet it was bad if it could be claimed by the whole public. Again, in a recent case, arising out of the disputes of the turf, the trustees of the Jockey Club, who were lords of the manor of Newmarket Heath had warned off the race-course a gentleman who had made some very ugly animadversions upon them. The gentleman refused to go; they turned him off; and the case was brought before a court of law. He pleaded an immemorial custom on the part of the public to go and see the races held at Newmarket. The court, in accordance with the decision he had just cited, decided that the custom having been laid in all the Queen's subjects was bad; that the public had no right to be there; but it intimated that if the defendant could have claimed as an inhabitant of Newmarket, he might possibly have maintained the custom. Another case occurred in respect to Epping Forest, and he would venture to read to the House what took place in that case, because it was very material, as showing to what the rights of the public, acknowledged in the previous cases, had been at last reduced in this matter. In that case the manor enclosed was a portion of Epping Forest, and formed a kind of public green in the hamlet of Woodford. The people had been in the habit of going there from time immemorial, and making use of it for purposes of recreation. It was enclosed by the lord of the manor, and the inhabitants objected to the enclosure. They laid their claim as being in the inhabitants of the particular village. They first said there was a right of way, and then that the inhabitants were in the habit of playing at all lawful games on the ground. In summing up to the jury Mr. Justice Wightman said—

> "The question is, whether there was a way over the spot where the hurdles were put up. In one sense there was a way there and everywhere, for it appears that the green was part of the ancient forest, and the effect of the evidence is that people went wherever they liked; and so, in that sense, the whole forest was one great way. . . But there was no distinct evidence of any definite way in any particular direction; and though there were tracks from time to time which might last for a few weeks or months, there was no beaten or enduring track in any one direction which had lasted for years. . . . Then as to the alleged custom, it is laid in the inhabitants, but the proof is wider than the plea, for it appears that all the world went wherever they pleased. It may be a question whether that would be a good custom in law, and of course if, in point of fact, it is proved as to all the world, it is proved as to the inhabitants. On the other hand, if the plea be taken to mean that the subject is only in the inhabitants, it is disproved, for the proof shows it to be, if it exists at all, in all the world."—(See *Schwinge* v. *Dowell*, 2 *Foster and Finlason's Report*, p. 845.)

The meaning of this was that although the custom lay in the inhabitants it would not lie in all the world, and then that if it could be proved to lie in all the world the custom was bad. It amounted to this, that the custom of a village like Woodford to play on a green, when engulfed by a great town like London, became bad, because it was enjoyed by all the public. Now that was, in his opinion, a most monstrous conclusion. It might be law, but certainly was opposed to common sense and to practice. This doctrine of general custom appeared to have been derived from some black-letter lawyer. In *Viner's Abridgment* it was stated—

> "A custom which may be general, and extend to all the subjects in England, and is not warranted by, but contrary to the common law, is void."

He then went on to describe what a good custom was, giving the following as a specimen of a good custom:—

> "In the Isle of Man is a custom that if one steals a horse he shall not be hanged, but shall be fined and go quit, because the owner may have his horse again, and it cannot be eaten; but if one steals a hen or a capon, he shall be hanged, for it shall be intended that it was taken to be eaten, and so the owner could never have it again. This is a good custom."

Such according to this authority was a good custom; but where it had been the custom for a whole people to play on a open common, like Clapham or Blackheath, it was a bad custom. He thought the House must feel where such ridiculous doctrines prevailed the proper way was to alter the law and say that a custom should not be bad because it was a general custom. It might perhaps be said, why not buy up the interests of the lords of the manor? That only raised the same question in another form, because, if the public had no rights whatever over the commons, then the compensation would have to be given for all these commons assessed as building land, worth from £400 to £600 an acre; and it would be impossible to find the money for it. But if, on the other hand, the public had rights of recreation, then a comparatively very small sum would purchase the manorial rights of pasturage, and digging sand and gravel. At any rate, he hoped that the rights of the public would be fully discussed in the Committee, and that if necessary the law would be altered in the sense he had referred to.

MR. MARSH hoped the object contemplated by the appointment of this Committee would be attained, but that not a single shilling of public money would be expended upon it. He altogether objected to the expenditure of public money for the exclusive benefit of the metropolis. It was said the metropolis was highly taxed; but his constituents were taxed quite as heavily as the inhabitants of the metropolis, and he thought it would be very unfair that they should be further taxed for the embellishment or recreation of the Londoners.

MR. COX said, that in 1862 the lords of the manor of Chigwell, Essex, had come to Parliament to obtain permission to enclose the portion of Epping Forest lying in that manor, but on his (Mr. Cox's) Motion the Bill was referred to a Select Committee, when so good a case did the public make that the Bill came back with the recommendation that fifty acres of ground should be left free for the use of the inhabitants of the metropolis. That recommendation was adopted by the House; but the allotment had not yet been made. Now, he should like to hear from the Secretary of the Treasury why the Inclosure Commissioners had not yet made that allotment. It was of considerable importance that the inhabitants of the metropolis should know where those fifty acres were to be allotted. An impression prevailed that the ground allotted would be to all intents and purposes useless, consisting of gravel pits in one portion and a swamp in another. The right hon. Gentleman (Mr. Peel), however, had assured him that such would not be the case; but, up to the present time, no precise information had been given on the subject. He would suggest to his hon. Friend the Member for Lambeth not now to fix any limit beyond which the Committee should not direct their attention. As he (Mr. Cox) conceived that point would be the first to be considered and settled by the Committee with regard to portions of Epping Forest which could not be enclosed without the consent of the Crown, he admitted that considerable hardship existed; but there was no desire to deprive any lord of the manor or any commoner of any right they possessed. They might have the whole lands not heretofore used by the public for recreation, provided only the 200 or 300 acres which had been so used were left in different parts of the Forest. This would not entail on them one sixpence of expense. No enclosure was necessary, no trees need be cut down, no gravel walks made; the ground might be given in the same wild state in which it now was.

Mr. DOULTON observed, that the limit he should propose would be fifteen or twenty miles around the metropolis.

Motion *agreed to*;—Select Committee *appointed.*

And, on March 3, Select Committee *nominated* as follows:—

Mr. Doulton, Mr. Cowper, Viscount Bury, Sir Henry Willoughby, Mr. Locke King, Mr. Du Cane, Mr. Henry Baillie, Sir John Shelley, Mr. John Tollemache, Mr. Kinnaird, Mr. Bentinck, Mr. Peacocke, Mr. Hanbury, Mr. Vance, Mr. Locke, Mr. Lyall, Mr. Buxton, Mr. Torrens, Mr. Shaw Lefevre, Mr. Alderman Rose, and Mr. Cox:—Power to send for persons, papers, and records; Five to be the quorum.

ARMY (RECRUITING).—ADDRESS FOR A ROYAL COMMISSION.

Mr. O'REILLY rose to call attention to the present mode of recruiting for the army, not merely with a view to the difficulties now found of keeping up the strength of the army, but also of placing it on a sounder and better footing in case of war. The military strength of the nation depended not only on keeping the army in a state of efficiency in time of peace, but on the means of recruiting it to whatever extent was necessary in case of war. The efficient power of recruiting was the best guarantee for peace, because it enabled us at short notice to be ready for war. Every one who compared the military condition of this country with that of Continental nations must see that the question of recruiting was considered the weak point in the English army. Alone of all the great Powers of Europe we relied on voluntary enlistment in opposition to conscription. There could be no doubt that every Continental nation looked with confidence to the result of a lengthened recruiting as a considerable difficulty to the commanding strength of our army in time of war. In other countries where conscription existed reserve after reserve could be called into the field. In France, for instance, the strength of the army was 400,000, but it could easily be increased to 700,000. It was only necessary to call out one class after another, and the effect was immediately produced. He was justified in saying that military men had great doubts whether the present system of recruiting would be sufficient to keep up the strength of the army required for home, colonial, and Indian service. In consequence of the number of men who took their discharge on limited enlistments, great difficulty was found even now; but the difficulty would be much greater in a time of pressure and of war. In the Crimean war, and during the Indian mutiny the difficulty of recruiting the army was extreme. To what did our system amount? Recruiting sergeants were sent into the towns, chiefly the great towns, to pick up a casual acquaintance with the waifs and strays of society, and induce them to enter the army partly through destitution and want of employment, and, in very many instances, through the inducement of drink. From these sources the army was recruited in time of peace; but in time of war these sources were soon exhausted. The bounty was then raised, and that enabled us to get still farther the sweepings of the town; but when we had exhausted that class we were very nearly at the end of our resources. We could not fall back on the agricultural class, whom we could not induce to enter the army; and what was more, we found that the very increase of our bounties and the exertions we had made produced evils of another class. *The Times* gave an account of the organized system of enlistment and desertion which had been found to exist in North America; but it was supposed that nothing of the kind ever happened in this country. That was a mistake. During the Crimean war and the Indian mutiny a very similar state of things prevailed. A Parliamentary Return showed that out of 90,000 soldiers enlisted in little more than a year, 20,000 deserted. In fact, the crimps who kept the taverns at which recruits were obtained put them up to the trick of deserting, and the proceeding was reduced to a regular system. It was, however, brought under the notice of the War Office, and measures were taken to check it. The reason of the evil was manifest. It was said that our system of enlistment caught only the idle classes of the towns. In fact it was, especially in time of war, only another form of the press-gang, with drink as its instrument instead of violence. Our system of recruiting did not bring us at all in contact with the steady agricultural population, it did not bring home to their knowledge the real position of a soldier; and, therefore, did not strike its roots into the country from which the class we recruited did not come, and to which they did not at the expiration of their service return. Yet much had been done to improve the condition of the soldier. At least a penny a day had been added to his pay in the shape of rations; he was well lodged, well educated, well treated in every way. In fact, the position of a soldier was really a very desirable one for a young man in a rural district with a turn for that sort of life. In that capacity he was paid as well as, if not better than, most agricultural labourers. But, notoriously, this was not the common belief. Fathers of families, and all the respectable part of the community, still looked with horror on the army as a career, and the recruiting sergeant never thought of going into the country for men, because he had little chance of getting them there. He recollected one who had much practical experience on the subject being asked why he did not seek recruits in his own village. His reply was, "If I 'listed any of the lads, I should have to be off very quickly, for the place would soon be too hot to hold me." Now it is to be observed that the principle of local enlistment, that is, enlisting for a particular service, and seeking recruits for such particular service in certain fixed localities, is one already recognized in our service; and which has produced the best results. All men are enlisted for a particular battalion; and the special character and historic recollections of each battalion are carefully preserved. An Irishman enlists to be a Connaught Ranger in the 88th, or a Welch Fusilier in the 23rd, or a Cameronian Highlander in the 79th, and the value of forming a local connection between a line regiment and a certain district, in obtaining numerous and good recruits is shown by the fact that such regiments find it much easier than others to keep up their numbers; men enlist freely when they know that their neighbours or relatives have gone into the regiment before them; thus certain districts always supply recruits to the Guards, and he (Mr. O'Reilly) knew of the families of small farmers in the north of England, some of whose members had for generations succeeded each other in those regiments. So, too, at the close of the Crimean war, when many regiments were below their strength, such localized regiments as the 88th Connaught Rangers and 18th Royal Irish numbered 1,800 and 2,000 men. Again, the principle of using the militia as a feeder to the line, especially in time of war, is one which we have recognized and adopted. Napier, the historian, had truly said that the militia (with the ballot) was a conscription with two links in the chain. The militia was bound to the country by local ties, its character was familiar to all, and hence there was no reluctance on the part of farm labourers and others to join it. Having entered the militia, the men had opportunities of seeing the life of the regular troops, with whom they might be quartered, and there was then no difficulty in inducing them to enlist. But how were volunteers too often procured? He knew one instance, and he feared it was far from a solitary one, when a whole regiment of militia was confined to barracks for a week, the men being discharged from all duty, and unlimited supplies of spirits being permitted to pass into the barracks. At the end of the time the regiment gave a quota of intoxicated volunteers to the line; but the means by which they were obtained was the more pernicious and unjustifiable, because he believed nearly as many recruits might have been got in an honest way, without any sacrifice of character on their part or on the part of the country. In another case, the colonel of a militia regiment said to the authorities, "Do not demoralize my men; tell me the condition of the regiments which you want to fill up, and let me talk it over quietly with the men."

He did so, and the result was, that when the regiment next paraded, on the reverse flank of every company stood the volunteers ready to be marched off to the regiments they had chosen. There was one other practical remark to be made with regard to our present mode of obtaining volunteers from the militia; or rather the mode practised when in time of war the militia is embodied. The practice was to send sergeants from a number of different line regiments to a militia regiment, and each endeavoured to obtain volunteers for his own regiment; the consequence was unseemly competition, rival stories; and as the volunteers went in very small numbers to each regiment no connection was kept up with the militia regiment, and others were not induced to follow. On the other hand the happiest results had been attained where, in a few cases, efforts had been made to direct all the volunteering from a militia battalion to a particular line battalion; a number of men had gone in a body to their new regiment; a connecting link was established, and a steady flow of volunteers for that particular corps set. Before he passed from this branch of the subject he wished to notice one small but very important point which required amendment. If a militiaman enlisted directly into the line, he received a certain sum of money; but if he deserted and then entered the line, concealing his connection with the militia, he received 18*s.* more. He was aware that, in the balance of accounts, the bounty was the same in each case; but it would be well to do away with all misapprehension on the subject, and to encourage men to pass openly and honourably from the militia into the line. Another principal which had been deliberately adopted in our system of recruiting was that of limited enlistment, and increased rewards for good conduct and length of service. And he believed that it would be found practically impossible to return to the twenty years system although it was service for that term of years which they wanted to secure. Experience, however, showed that enlistment for twelve years instead of ten, whilst it did not check enlistment, greatly facilitated re-enlistment as the man felt he had served more than half his time for pension. He had said that we recognized the principle of local enlistment and local associations, and that the local militia having its ramifications throughout the country should be a feeder to the line; and that we also recognized the principle of limited enlistment and increased incentives to re-enlistment. Now his proposal was this, to combine and carry out these two principles to their full development, and that in the following way. He must premise that he would speak now only of the infantry of the line. Let each regiment of the line have attached to it a special militia regiment. In point of fact this connection now nominally existed, for most of our regiments had originally been raised from local forces, and out of the 100 regiments of which our army consisted, up to the Indian amalgamation, eighty-four had a local designation, and only sixteen had not. Let the recruiting for the line regiment be carried on as much as possible from, and through, its own militia regiment; thus, let the Northumbrian fusiliers seek their recruits through the Northumberland militia, and so on; at the end of their twelve years' service will come for the men the question of re-enlistment; let it be proposed to them to re-enlist for five years more service in the same regiment of the line, and after that six years more in their own regiment of militia, and that then they should be entitled to a pension. It must be observed that this principle of two years service in the militia counting as equivalent for pension to one year's service in the line, is already adopted with regard to militia sergeants. The practical effect would be that the authorities of militia regiments would be induced to supply recruits for the line, if they knew where the men were going, and had a reasonable hope of their ultimately returning. As matters at present stood, the interests of the two branches of the service were almost antagonistic — at all events, they were certainly not identical. The officers of the militia regiments, with the exception of the sergeants who gained a small pecuniary advantage, had no inducement at all to further volunteering into the line, for when a man once left them, they could not trace him, nor could they feel any pride in following his future career. If his plan were adopted, he believed the result would be this: — A young labourer, artisan, or countryman would enlist probably at about eighteen into his own militia regiment; at twenty he would possibly volunteer into the line; and at the end of his twelve years' service he would be thirty-two. He would re-enlist for five years, and at the end of which time he would be thirty-seven; when he would return to his own county and continue in his own militia regiment, whence he would send up a succession of volunteers to the regiment with which he had always been connected. A country gentleman had complained to him only the day before that if young men in the country wanted to enlist, they could only do so by drifting into the towns, and coming into contact with the scum of our city populations. This was the main proposal he desired to bring forward. It had this advantage—that it not only afforded an easy means of recruiting in times of peace, but in time of war the whole efforts of the militia regiments would be directed towards keeping up the strength of their regiment, and thus supporting its honour in the field. He anticipated two objections to his plan. It might be objected, in the first place, that it would tend to localize the regiments too much, and make them too clannish; but to this objection he did not attach much importance. He believed that there was not a single Englishman in either the 88th, the Connaught Rangers, or the 18th Royal Irish, and there were several Scotch and Irish regiments almost wholly consisting of men from those parts of the United Kingdom. Indeed, he believed that most of them came from particular districts, but he did not know that any inconvenience had arisen from that circumstance. It might also be thought unadvisable to compel the soldiers to serve any part of their time in the militia regiments; but he would call the attention of the House to the fact that he did not propose that this service should be compulsory; simply that it should be proposed to the man, so that if he pleased he could accept the alternative. A man might not unnaturally wish, when grown up and married, to return to his militia regiment for the purpose of serving out the time which would entitle him to the receipt of a pension. He would now make one or two remarks upon other obstacles which hindered successful recruiting. One of these was undoubtedly the question of marriage. Every officer must be acquainted with the difficulty of inducing men to re-enlist. A man would generally enlist about twenty, and at thirty or thirty-two, when he would have the option of re-enlisting for ten years, he would know that in all probability he would not be allowed to marry during that period — for only six men in a company were allowed to marry. The question of allowing men of good character and steady conduct to marry after their re-enlistment was one, he believed, entitled to consideration. The Return of the comparative rates of sickness in married or unmarried soldiers would show that, on the score of economy itself, an alteration in the present state of things might be desirable. The great difficulty in the way of increasing the number of married soldiers was, of course, the question of transporting the men with their wives and families to distant colonies and to India, and for that reason he did not press for any great alteration in the present state of things; but, at the same time, it might be extended in cases where regiments were known to be destined for a lengthened home service. It was also well worth consideration whether it would not be advisable to increase in some degree the pay of the re-enlisted men. Many officers of experience in the service would find men grumbling at receiving, after a service of twelve years, the same pay as a raw recruit. In this respect the system which he suggested was already at work in the navy. He did not believe that the adoption of that suggestion would largely increase the Estimates, while it would not only encourage re-enlistments, but would tend to raise the character and status of our soldiers, and improve their moral and social condition. So much had been done already to improve the moral and social condition of the soldier that he was anxious to put our system of recruiting on such a footing that these advantages should be known to the people, and that recruiting should not be left in the hands of crimps and pot-house keepers. He had no wish to enlarge on the present difficulties of recruiting, because the more important matter was to set our house in order now in time of peace, and not to have the necessary changes forced on us in time of pressure, as was the case during the Crimean war, when we were obliged to take boys of almost any age and size, in the hope that they might grow into soldiers. Every year recruiting became more difficult, and there was one town in Ireland he knew where recruits were formerly obtained by the hundreds, but where now only thirty-two had been made in four months. As the subject had been considered by a Commission two years ago, he had a difficulty in pressing for a definitive inquiry, but he felt so strongly the necessity of making the militia a steady feeder of the line, and the line a steady support of an army of reserve, which we had not at present, for it was admitted that the experiment of the Reserve Force was a failure, that he had ventured to place this Motion on the paper. The hon. Gentleman concluded by moving the Address for a Commission to inquire into the subject.

COLONEL NORTH seconded the Motion.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the subject of Recruiting for the Army."—(*Mr. O'Reilly.*)

MR. CARNEGIE, in supporting the Motion, said, that having served in two regiments which had that advantage, he was in a position to bear testimony to the importance of having regiments connected with different localities. He knew of a soldier in one of those regiments who, being minded to desert, in order that the fact might not come to the knowledge of his friends and relatives, had volunteered into another regiment and then deserted from that. He was sorry to remark a tendency to discontinue the practice of allowing particular regiments to wear distinctive badges or ornaments. Not that regiments which had not distinctive badges were in a position of inferiority to the others, but it was a great thing for a regiment to have something to swagger about. It was a help, too, to the recruiting sergeant to be able to say, "Our regiment is the only one which has a right to such and such a badge,"—it made the recruit fancy that it must be a fine regiment to join, and it promoted the *esprit de corps*, which was of such importance to the army. He believed, too, that it would be a great help to recruiting if increased pay were given to lance-corporals.

COLONEL NORTH said, he thought it impossible to over-rate the importance of the subject, and the House was much indebted to the hon. Member for Longford for the manner in which he had brought it forward. The recruiting of the army, he believed, had now come almost to a dead lock. The ten years' service system was a complete failure; it entailed upon the country an enormous expense, and occasioned great inconvenience to all parties concerned. As the hon. Member truly observed, this, after all, was a finance question. Looking at the wages which our operatives and labourers were now receiving, it was impossible that the soldier should not need an increase of pay. It was natural, too, that the soldier should be discontented at finding that at the end of ten years' service, in which he was not only exposed to the enemy's bullet, but was called upon to perform more arduous duties in more deadly climates than the soldier of any other European army, his services were rewarded by exactly the same rate of pay as that given to the recruit who had joined only the day before. He (Colonel North) had last year asked for a Return of those men who were entitled to their discharge in 1864. That Return was refused, on the ground that it would not show the number of those who, being entitled to, had not claimed their discharge. He had, however, that evening given the noble Lord the Secretary for War notice that it was his intention to move for a Return, not only of those who were entitled to their discharge in 1864, but also of those who had availed themselves of their right to a discharge. He would also include in his Motion a Return of the expenses incurred in bringing the discharged men home from India and the other foreign stations, and likewise the expenses incurred up to the very moment of their discharge. He believed that the people of this country were by no means aware of the enormous cost which our present military system entailed. He considered that it would be a much more satisfactory arrangement to extend the period of enlistment to eighteen years instead of ten, and to give the same pension at the expiration of that time as was now given at the end of the twenty-one years' service. Our soldiers were enlisted generally at the age of eighteen years. At the end of his service of eighteen years, though he might be a little broken down in health, he might yet be young and strong enough for some civil employment. In corroboration of what the hon. Member (Mr. O'Reilly) had said as to the difficulty of getting recruits during the Crimean war, it was well known that not only had the recruiting officers been told to take boys of any age, but that the medical officers generally had received instructions not to be too particular as to the health of the men who offered themselves for the service. The consequence was that many delicate boys were enlisted, whose health broke down in the first year of the Crimean war; and in all parts of the country might be seen men whose constitutions had been thus undermined, and who had been discharged on pensions of 6*d.* a day after eighteen months or two years' service. These men were standing obstacles to recruiting. He thought that if a man knew he was to be enlisted for eighteen years he would have no objection to enter the service; but it was by no means encouraging, the reflection that, after ten years' service he was entitled to his discharge, perhaps, in the prime of life, upon a wretched pension of one shilling a day! The reckless and discreditable marriages which soldiers were permitted to enter into proved also most injurious to the interests of the service. He thought it would be well if leave to marry were withheld from the soldier until the first ten years of his service had expired. As he (Colonel North) had before observed, this was a finance question. The pay of the soldier should be increased according to his service; for it was sheer nonsense to suppose that men could be induced to expose their lives to bullets and bad climates for the pay of one shilling a day! There was no respectable manufacturer or other employer in the country who would hesitate for a moment to increase the pay of those who had faithfully served them according to their length of service. If the Government would but increase the soldier's pay at the end of ten years' service by twopence a day, it would amount only to an addition of £3 0*s.* 10*d.* in the year. By the adoption of such a system they would probably obtain the best men for the service, and such as could be trusted under any circumstances whatever. Many of the hon. Gentleman's suggestions were well worthy of consideration, and although there were some which it would be difficult to carry out, in consequence of the length of time our regiments have to serve abroad, he thought the hon. Gentleman was entitled to the thanks of the army for the manner in which he had brought the subject under the notice of the House. The right hon. and gallant Member for Huntingdon (General Peel), the late Secretary for War, last year called the attention of the House to the injurious effects of this ten years' service system; and he had himself received letters from experienced officers serving in all parts of the world, saying that it had been the ruin of their regiments.

SIR GEORGE BOWYER said, he should like to suggest a question. The three gallant Officers who had addressed the House had stated that a great difficulty was experienced in getting soldiers. Now, he thought that every Member of the House must frequently have seen able-bodied men with medals on their breasts sweeping crossings, and filling the lowest and meanest occupations, and even begging—men, too, who were evidently fit to serve as soldiers. He wanted to know the reason of such a state of things. It was a very painful spectacle to any one who respected the military profession, and he thought it showed there was something wrong in the system or these men would not have left the service, or, if they had done so, they would have joined it again.

SIR HARRY VERNEY was glad that the hon. and gallant Officer the Member for Oxfordshire (Colonel North) had brought under the notice of the House the expense of discharging the men at the end of their ten years' service. The fact was that to bring home a man from India and to take out a recruit cost from £90 to £100. The soldiers knew this, and talked over in their barrack-rooms the circumstance that while the country only gave them 2*d.* or 3*d.* a day more for re-enlisting, it was put to an expense of £100 if they did not re-engage. Every reason of economy and of social and political advantage required that they should look this matter in the face, and not adhere to the very trifling increase of pay which was given to soldiers upon re-enlistment. There were some points connected with the condition of the soldier which had not been fully brought before the House. For instance, how was it that the marine, although receiving no higher pay than the infantry soldier, was able to save every farthing of it, while the soldier paid from 4½*d.* to 5*d.* a day for his food? All classes of workmen now received higher wages than they did formerly, and it was but fair that the pay of soldiers should be increased also. He should never be satisfied until the soldier returned to his village upon the expiration of his term of service a model of good conduct, and a man whom every respectable person would be glad to welcome. There was no reason why soldiers should not be the best portion of our population. Something had during the last few years been done towards making them so. Some of the suggestions which had been thrown out in so agreeable and sensible a manner by the hon. Member for Longford deserved the best consideration of the House. He should be glad to hear that the Government were willing to grant this Commission; but if they refused it he sincerely hoped that they would direct their own attention to this subject, which was of the greatest possible importance to the country.

THE MARQUESS OF HARTINGTON: I do not intend to follow the hon. and gallant Gentleman opposite (Colonel North) into a discussion which I think had better be reserved for the Army Estimates. The hon. and gallant Gentleman has, however, thought proper to comment upon our military system generally, and the effect of the Limited Enlistment Act. I do not think that I can take too early an opportunity of giving the most emphatic contradiction to his statement that recruiting is at a standstill and that that Act has been a failure. Recruiting, on the contrary, has been going on with the most remarkable regularity during the last twelve months—the whole number, or very nearly the whole number, of recruits intended to be raised during the year, have been obtained—and the Limited Enlistment Act is working exactly as its promoters and advocates anticipated that it would. The proportion of men who re-enlist after taking their discharge remains pretty nearly the same as it was at first—about 60 per cent. I believe that when the Returns for which the hon. and gallant Gentleman asks, and which I shall have great pleasure in laying on the table, are presented, he will find that that is the real state of the case. I do not think that the speech of the hon. and gallant Gentleman was one that, if read by the class from which our soldiers are drawn, would be calculated to increase the recruiting which he informed the House had come to a standstill. The hon. and gallant Gentleman, whose object, no doubt, is to furnish as plentiful and as good a supply of recruits as possible, gets up and tells the class from whom they are taken that the pay is totally inadequate, and that any man who has any respect for himself and can do anything else had much better not dream of enlisting in Her Majesty's army. I imagine that he is one of those country Gentlemen who make the village too hot for the recruiting sergeant if he ventures to show his face in it. It is a great pity that any Member of this House who is supposed to represent the army should attempt to send it forth to the country that the shilling a day is the real pay which the soldier receives. The hon. Member for Longford (Mr. O'Reilly) has put the question more fairly, inasmuch as he stated that the advantages which the soldier gets in the way of good food, good lodging, good clothing, education, and innumerable other particulars, are such that the pay is, I think he said, fair and adequate. It is nothing but a misrepresentation of the most mischievous kind to announce to the working classes that the pay which they may expect to get in our army is a shilling, and a bare shilling, a day. I do not understand that the hon. Gentleman intends to press this Motion to a division, or to urge the Government to appoint another Commission, considering how recently the Commission which was appointed in a former Session has reported the result of its inquiries. I quite recognize the great importance of the subject, and I also admit that the hon. Member brought it forward in a most temperate and able speech. The suggestions which he has made are worthy of the most attentive consideration; but I think that the House will agree with me that the time has hardly arrived at which it would be desirable to appoint another Commission to inquire into a subject which has so lately been reported upon. The right hon. Gentleman the Member for Huntingdon (General Peel) appointed a Commission, of which the noble Lord opposite (Lord Hotham) was Chairman, which went very fully into the subject. Their instructions were very wide, and I do not think prevented them from considering any scheme which might be proposed. They reported in the year 1860, or 1861, and a great many of their recommendations were carried into effect. I can assure the House that the subject of recruiting has not been lost sight of. A great many of the subjects which have been brought under the notice of the House by the hon. Member are under the careful consideration of the Commander-in-Chief, and although I shall not have to propose any alteration in the system of recruiting during the present year, or any increase of pay after a service of ten years, it may be found necessary to make some change at a future time. I will not follow the hon. Gentleman into the details of the scheme which he has sketched, nor into the various objections which he has made to our system of recruiting. Indeed, I feel assured that the hon. Gentleman himself would be the first to admit how much depends, in dealing with the question, on a minute examination of its details, both financial and otherwise, and that no opinion worth attending to can be pronounced until the examination has been made. The opening portion of the hon. Gentleman's speech was directed to an exposition of the evils of the present recruiting system. He said that system answered fairly enough in time of peace; but that great pressure arose in time of war, when it became necessary to obtain recruits in large numbers. Now I quite concur in the opinion that there are many inconveniences attendant on the system of recruiting by bounty, and that the money given probably does not do the recruit much good, and that men who enlisted for money are probably not of a very good class. It must, however, be borne in mind that one of the advantages of enlistment by bounty is that it is capable of indefinite extension in time of war, and that when the pressure ceases the scale of bounty may be reduced; while, in the event of the adoption of any system by means of which it might be sought to secure a better class of men by giving them increased pay, it must not be forgotten that increased pay to one soldier must lead to giving increased pay to all. We have seen that the Americans in their great emergency have found it to be necessary to resort to the system of bounty, and that having to deal with a population very much the same as our own, engaged in industrial pursuits and earning good wages, they yet have, by offering high bounties, been able to recruit the ranks of their armies without resorting to any great extent to the pressure of conscription. The hon. Gentleman having pointed out the evils which he thinks are connected with the system of bounties, went on to explain the merits of his own scheme by which the regiments might be recruited than at present. But it did not strike me that although that scheme might work very well in time of peace, it could be relied upon to furnish a sufficient number of men in any sudden emergency unless it were supplemented by bounties. Without entering at length into the details of the scheme, I must observe that it appears to me to require even fuller explanation than the hon. Member has given the House that evening; and I cannot help thinking that it may with more advantage be discussed in Committee on the Army Estimates, when explanations might be elicited which it is not possible to obtain at the present moment. I at all events feel certain that the hon. Member does not wish me to express offhand any opinion as to the practicability of his proposal. It should not be forgotten that a scheme tending in exactly the opposite direction has been very strongly pressed on public attention; and there can be no doubt, that if it were found possible to substitute a system of general for one of merely regimental enlistment, it would have the result of rendering the services of a number of men more available than is now the case. As matters now stand, when a man has arrived nearly at the end of his term of service it is not worth while to go to the expense of sending him to serve abroad, as the cost of his passage out and home again would have to be paid. The result is that he is sent to the depôt of his regiment, where he remains practically of little use to the country during the remainder of his term. If, however, he had been enlisted under a general system, as has been proposed, his services might be turned to account for a year or two in some other regiment in which they happened to be required. I must not, at the same time, be understood as expressing any opinion upon the comparative merits of the two schemes to which I refer. Until we have had a larger experience in the matter, it would, I think, be premature to do so, especially as the whole subject is one which is under the anxious consideration of the Commander-in-Chief and the Secretary of State. In reply to the hon. and learned Member for Dundalk (Sir George Bowyer), who asked me a question with reference to soldiers being found engaged in sweeping crossings, I can only say that they must be men who, having enlisted for ten years, were unwilling to re-enlist at the expiration of that period. Those men, no doubt, did very good service during the ten years; but then the hon. and learned Member would scarcely contend that they ought to get a pension, to which they were not entitled. It is sometimes said, I may add, that the class of men who enter the army at present is not of a very respectable character. I quite admited that such is the case. Our system of enlistment has, I believe, swept to a great extent the refuse of large towns; but I am not sure that it is desirable our army should be composed of a very superior material. The sweepings of our cities having been subjected for a time to severe discipline, a very good article is in my opinion turned out, and better members of the community might be almost thrown away if employed in doing that which the men whom we obtained did so well. Everybody, he thought, concurred in the opinion that our army, as an army, was as efficient as that of any of the Continental nations, and if the system secured the sweepings of large towns and turned them into good soldiers, there was not much to complain of on that ground. I have only to say, in conclusion, that I hope the House will think the explanation which I have offered sufficient to show that it is not desirable to appoint another Commission on this subject. At the same time, I tender my thanks to the hon. Member for Longford (Mr. O'Reilly) for the manner in which he has brought the subject forward.

Sir JAMES FERGUSSON said, he did not imagine that much good was likely to arise from prolonging the discussion, nor did he think that a practical remedy for the evils complained of was to be found in the issue of a new Commission. He felt, however, called upon to deprecate the manner in which the noble Marquess (the Marquess of Hartington) had, in some respects, treated the Motion; because the House might be led to believe that no great apprehension was felt by officers in the army with regard to the operation of the Ten Years' Enlistment Act. Every officer in the army knew that the very reverse was the case. That sort of treatment of a Motion which spoke of Acts working well, and of Returns to be made on some future day, did very well—as the phrase went—for the House of Commons; but there were many officers sincerely desirous for the welfare of the army who would be much disappointed at the speech of the noble Lord. It was perfectly notorious that numbers of the best men who had arrived at the end of their term of service, when they were of the greatest use to their country, were leaving the army in great numbers to the great regret of their commanding officers who saw no means of retaining them. He had heard, with regret, that the noble Lord had thought fit to meet the candid statement of an hon. and gallant Gentleman, who was only known in that House to be respected, with remarks of a character which he (Sir James Fergusson) must say were very ill-directed towards him. The hon. and gallant Officer who sat behind him (Colonel North) had devoted considerable time and attention to this subject for a long series of years, and no one of greater experience in that House than the noble Marquess would have so far mistaken the purport of the observations made by that gallant Officer. There was nothing in the remarks of his hon. and gallant Friend which would bear the interpretation which the noble Lord had put upon them. All that he had done was to point out how much more valuable men at the expiration of ten years' service must be than were recruits, and how desirable it consequently was to offer them inducements to remain. And it was vain for the noble Lord to assure the House and the public that there was economy in turning adrift the drilled soldier; even though he might have the figures on his side, there was a more than equivalent loss in efficiency. The noble Lord pointed out that if the pay of these men were once raised, it could not be lowered again. But there was no need to lower it again. It would not be a temporary measure prompted by necessity, like the increased bounty in time of war, but an act of justice to men rendering services of additional value to the country, because of the experience which they had gained. The noble Lord could hardly be satisfied with his own arguments. He had pointed to foreign countries, and especially to America, to illustrate the facility of increasing armies in times of emergency by means of bounties. The example, however, of America, whether groaning under the debts entailed by this unhappy war, or resorting to the expedient of repudiation to get rid of them, was not one which could be recommended with confidence to England. If the noble Lord had searched through the world for a warning against depending on a system of high bounties he could not have found one more directly to the point than the case of America. We had experienced the difficulties arising from the necessity of recruiting an army in time of emergency, and we should not forget the consequences of a British army being suffered to fall too low in time of war. Only recently they had heard by means of the telegraph of shiploads of negroes having been bought and imported by the Governor of Massachusetts for service in the war. He thought we ought rather to try and keep these men in our ranks, who did a credit to the service, rather than to have to look danger in the face and repeat the evil results of our want of providence.

Mr. SCULLY said, he was very much inclined to give to Irishmen about to enlist in the British army the same advice which Mr. Punch once gave to persons about to marry, and that was "Don't." Until they received better treatment than at present, they would be wrong to do so. The hon. and gallant Gentleman who had last spoken seemed to ignore the drain which emigration was causing from Ireland. That drain, which was at the rate of 100,000 annually, if it continued, might some day lead to the importation of shiploads of white niggers from Germany. That was plain speaking, but it was not the less true. The worst of it was that these

100,000 annual departures were in reality equal to double that number, because they went over to the enemy. He stated these things in the interests of England. He knew that in making these statements he exposed himself to a storm of ridicule, and to the attacks of scurrilous scribes in *The Star* newspaper. But it was the part of a true friend to point out defects, and the best mode of remedying them. It was better not to mince matters ; and for his part, he never held one language in the lobby and another in the House. The sooner the British people knew that the best mode of recruiting for the British army was by stopping the drain of emigration from Ireland the better. Under the existing system Irishmen were not fairly treated. Gentlemen, perhaps, remembered at the opening of the Indian mutiny that an artilleryman was stated to have highly distinguished himself in Delhi by blowing up the powder magazine there when it was about to be seized by the mutineers. That man was called in the newspapers "Gunner Scully," and what reward had he received? He got, of course, his shilling a day until he blew himself up, and since then some of his children had been put into a Protestant proselytizing asylum, where, being Catholics, they were now being brought up in what was considered the orthodox faith of the State. Until there was absolute equality between English, Scotch, and Irish ; no Irish soldier would enter the British service with his whole heart and soul, notwithstanding the Motion of the hon. and gallant Member for Longford.

MR. WHALLEY said, there were one or two isolated questions connected with this subject which might well occupy the attention of the House. One question was this—How far might Roman Catholics in the British army be relied upon in certain emergencies for their allegiance to the Crown, in spite of that higher allegiance which they were called upon to yield in religious matters to a higher authority? The Duke of Wellington, although he was the means of passing the Catholic Emancipation Act, would not allow a single Roman Catholic to be entered upon one particular branch of the army—the artillery. ["No, no!"] But he wished to call the attention of the House to this fact, that while in the last five years the number of Catholics and Protestants in the army generally continued in the same proportion—that was to say, about half and half—the Roman Catholic soldiers in the artillery increased from 2,300 to 8,700. He thought it right to call attention to this remarkable fact.

MR. O'REILLY, in reply, said, he wished to advert to two points which had been raised in the discussion. The hon. Gentleman the Member for Peterborough (Mr. Whalley) had stated boldly that Roman Catholic soldiers were not to be trusted on their allegiance. Now, he felt he should lower himself and degrade the House if he wasted its time in answering such a charge. He would say for himself that, as a Roman Catholic, he would yield to no man in attachment to his religion and in his respect for every one of its precepts, and in obedience, so far as their authority extended, to the heads of that religion. He wished to make no species of reserve for himself —such as was sometimes made by persons like the hon. Member for him. He was a Roman Catholic of the Roman Catholics, and he yielded in a faithful observance of the oath of allegiance to no man of any religion. The hon. Member had unwittingly uttered what he would not call a calumny, but which was certainly a statement very injurious to the memory of a great man, the late Duke of Wellington. He would, on another occasion, take an opportunity of asking some one competent to answer on the part of the Government whether it was true that any order was issued or now existed by which Roman Catholics were excluded from any branch of Her Majesty's service. If any such order existed he would scorn any Roman Catholic who entered a service in any branch of which he was held unworthy to serve. The noble Lord (the Marquess of Hartington) had inaccurately represented him as depreciating the effect of bounties in securing a large enlistment in time of war. His objection was to that system of enlistment which sought our recruits solely in the great towns and through the attractions of the ginshop. The noble Lord told the House that the sweepings of the towns were good enough for the army, and that they made good soldiers. While he did not think it desirable to recruit the army from the upper or middle classes, or, indeed, from the skilled classes, he yet thought that the army was an honourable profession for the young men of the labouring classes, and it was to the honest and respectable members of that class to whom they should look to fill the ranks of the army. He would not press his Motion to a division, being convinced that if his proposals, which were new, were founded in truth, they would gradually make their way and be adopted in time. Last year he pointed out four branches of the Estimates on which he thought retrenchment might be carried out. He did not press his views to a division, but he saw by the Estimates this year that a reduction had been made in each of those four points. He should be emboldened by that experience to leave what he had said to be considered by the Government and by the House, and he would now ask leave to withdraw his Motion.

Motion, by leave, *withdrawn.*

AFRICA (WESTERN COAST).

MOTION FOR A SELECT COMMITTEE.

MR. ADDERLEY, in moving for a Select Committee to consider the state of the British Establishments on the Western Coast of Africa, said, that it was a country notoriously unfit for occupation by the Anglo-Saxon race—a country which had been lately described by the highest authority as being, from one end of it to the other, a hotbed of disease, the occupation of which by us could only be justified by the highest and most disinterested motives—he would even say by the attainment of the objects in view compensating for the enormous sacrifice of life and treasure. And yet in this unhealthy spot, to say nothing of the large naval establishment, costing this country nearly £1,000,000 a year, we had no less than four settlements. The first was established long ago for the object of promoting the slave trade. Of late years it had been maintained for the opposite object of suppressing the slave trade, and for substituting legitimate commerce and civilizing the Natives of that coast. Two hundred years were spent by us in inflicting moral and physical injury on that country, and the last fifty years we had spent in attempting something like reparation. He wished for inquiry in order to see whether these settlements as settlements were well ordered and regulated, and whether they attained their object, or, on the contrary, did not rather obstruct it. On the first point he thought there was sufficient reason for inquiry, from the recent experience of one of those settlements. It was only last Session that the House was filled with alarm and anxiety, and some Members of it exposed to the bitterest suffering, owing to the Governor of the Gold Coast—one of these settlements—having nearly run us into a third war with the Ashantees, the most warlike of the African tribes. Governor Pine said, "The silence of the King of Ashantee must be broken by some steps taken on our part." Troops were reluctantly furnished to that Governor, and many gallant lives were lost, not in conflict with any enemy, but by contact with this pestilential climate, and through being brought into that contact without due preparations having been made. The troops were withdrawn only in time to save them from utter destruction, and in order to prove that the war, which was not precipitated by their withdrawal, could not have called for their presence at all. They were told by the same Governor that wars and commotions of this kind, when they occurred, involved a total suspension of the objects for which these settlements were made. He said that the seaboard of his extensive government lay exactly outside the cruising ground of the squadron, so that whenever war took place the squadron had to be withdrawn from the cruising ground in order to maintain the war. The Governor also stated that these wars must be expected in the neighbourhood of such tribes, from time to time, if Englishmen would settle there, and that whenever they did occur this country must be prepared to bear all the brunt of such wars, both in men and money. "For," said the Governor, "my government is not a colony but a protectorate, so that I cannot call upon the Natives or the inhabitants to supply either their labour or their money." The Governor added that he had neither hope nor heart to press the people for any tax, and he had recently run the settlement almost into a revolution by proposing even a licence duty on the sale of rum. Not only was it impossible to levy a tax upon the Natives, but also their services could not be made use of, inasmuch as the Gold Coast Artillery, the only Native force which had been raised, had become mutinous and insubordinate, and has since been disbanded. That was the local corps that was considered by Lord Grey as an essential part of the system which he established for the consolidation of our government. The Governor went on to describe his own position as anomalous and untenable, for whenever war threatened, as was almost continuously the case, his authority as civil Governor became suspended, the sole responsibility falling upon the military commander, with whom he had quareled and held no communication whatever. The military commander had been removed from the colony since the period referred to, and the danger which then existed had ceased, but the Colonial Secretary told the House only last Friday that Colonel Conran, accompanied by troops, was at this moment making a military progress among the neighbouring warlike tribes for the purpose of opening a friendly intercourse with them, which was not unlikely to replace the Government in its usual confusion. He saw by the papers that the residents considered Colonel Conran understood their interests far better than the civil Governor, and the measures he had adopted were certainly more likely to promote the speculations of the settlers than the objects for which civil Governors were put there by this country. He might mention, lastly, that the Government of the Dutch settlement at Elvina, in the immediate neighbourhood, were now, and had always been, unfriendly to this country, and were always in intimate alliance with our constant enemies the Ashantees. Under such circumstances an inquiry into the state of the government of the Gold Coast could not be entered into a moment too soon by a Committee to be appointed for the purpose. Did the other three settlements present less ground for inquiry? What did they hear as to Sierra Leone, the most important of all our settlements on the West Coast of Africa, and which ought to be the very centre of improvement? What was the result of a century of philanthropic efforts here, begun by Clark and Wilberforce? A high authority had recently described Sierra Leone in these words—

> "The people are the very pests of the neighbourhood. The Sierra Leone people are detested wherever they go, and always in bad odour with every one. The uneducated tribes on the coast are far more intelligent, and the Natives do more work where the white man has not settled."

That was not a very satisfactory description certainly. He saw also from the Reports before the House that exports and imports, taking the matter in relation to the commercial value of the settlement, were steadily declining. The exports and imports at Gambia were also declining, and Governor D'Arcy stated that the whole of the neighbourhood was in a constant state of civil war. He went on to say—

> "It is very difficult to avoid being mixed up with the troubles of our neighbours. The belligerent tribes seize cattle, ignorant, in all the excitement of war, of the property being British. Our traders make reprisals, or, in spite of my forbidding it under penalties, take service under the opposing chiefs. The merchants claim our protection up the river. Where is this to cease?"

As regarded Lagos, Governor Freeman said—

> "From the lawlessness of the Egbas, the state of affairs is going from bad to worse. I have recalled from Abbeokuta all persons claiming British protection. The missionaries, however, refuse to pay me any attention. I only get opposition from the British merchants and residents in Abbeokuta. My influence is undermined."

He tells the elders of Abbeokuta their anarchy cannot be allowed; "England is slow to anger, but will require satisfaction at last." At this moment, insisting on reparation to a Benin merchant, M. Henry, for a very questionable wrong, he has imposed a fine, which being refused, Her Majesty's ships are again withdrawn from this cruising ground to blockade the trade of the Benin until the fine is paid. Such was the state of the four settlements in Western Africa, and having thus described their present condition, he would, with permission of the House, very briefly advert to their past history. The Gold Coast, first occupied by the Portuguese, and then by the Dutch, came into the possession of this country by the Treaty of Breda in 1672, when Parliament placed it under the control of the African Company, with a subsidy of from £13,000 to £20,000 per annum, for the purpose of carrying on the slave trade. It remained in their hands until 1821, when the Crown assumed the government, the slave trade having five years previously been abolished. Hardly had the Crown taken upon itself the management of the settlement before it was plunged in two Ashantee wars, the first of which was the most disastrous that this country had ever entered into with a savage tribe. The Crown was soon weary both of the expense of the wars and of the consequently declining commerce, and in 1827 they handed over the government of the settlement to a company of merchants who received a subsidy of £4,000 to carry on the government, they being informed that if they refused those terms the settlement would be abandoned. At that time a protectorate had been assumed over the neighbouring tribes which had led to many complications, and a magisterial jurisdiction had been set up over the natives, with a judicial assessor at its head, to discharge what Lord Grey described as the singular office of dispensing rude laws among uncivilized tribes. The company being found inadequate to conduct the Government, the Crown resumed the conduct of the settlement in 1843, and in 1864, by an Order in Council, it had been placed under the constitution of a Governor and a Legislative and Executive Council. In 1850 the Gold Coast was separated from the Government of Sierra Leone, and Lord Grey purchased the neighbouring Danish Forts, and established the Gold Coast Local Artillery, and otherwise extended and consolidated the Protectorate. Sierra Leone was ceded to this country in 1787 as a settlement for free negroes. Since that period a very large territory had been annexed to the colony, as was usually the case with our settlements there. It was now used as a convenient place for holding the Mixed Commission court for adjudicating prize slavers, and was the centre of the efforts made by missionaries in the cause of West African civilization. Lord Grey, in his work on Colonial Government, 1853, pronounces Sierra Leone to be a failure. Gambia, by a patent in Queen Elizabeth's reign, had its trade granted to British merchants, and a company was formed in the year 1618, for the purpose of carrying on the slave trade. In 1814 Gambia became exclusively British, the French taking Senegal and Goree. In 1816 the slave trade was by law abolished, and this settlement was used for the purpose of commerce and suppressing slave trade. It was separated from Sierra Leone by Letters Patent 1843. Lagos only assumed the position of a separate colony in 1862, after ten years previous occupation, and it was expressly occupied for three purposes — the suppression of the slave trade, the promotion of legitimate trade, and the benefit of the tribes. He might also mention that the free Republic of Liberia, originally established in 1816 by an American Colonization Society for the purpose of receiving free coloured people from America, though it had languished as a colony, had served as an effectual barrier to the carrying on of the slave trade in that country. He had referred to these matters to show how far this country was engaged in the occupation of West Africa and in obligations with the various chiefs in the neighbourhood of our settlements. The possession of any of the territory for the purpose of preventing slave exportation entailed a necessity, moreover, of constant extension, for suppression of export was nugatory unless our measures for suppression could be exercised along the whole coast. This was the consideration on which our settlements had perpetually increased, and under the present system must continue to increase. In 1850, when Lord Grey made purchase of Danish territory on the Gold Coast for the purpose of consolidating British strength, he contemplated the purchase of the Dutch territory also, that all might be under the protection of the Government of this country. On the extension of territory, he would quote the opinion of an officer of high authority—

> "We have made a great mistake in acquiring territory round Lagos. I was the first that ever entered the river, and some twelve years ago took possession of the eastern point in the name of the Government, for trading purposes. I was ordered to give it up again, as the Government did not wish to enlarge their possessions. But what have we done since? Taken the whole island of Lagos, with territory many miles up the Lagoon, as well as on the sea coast, which has led us into serious broils with the Native Chiefs. All but the island should be given up at once, keeping the customs of the river with a consul and a steamer. We have no business to establish ourselves about powerful chiefs and tell them to do exactly what we bid, or we shall blockade or bombard their towns. We have not the means of carrying out such threats, and are only laughed at. I would likewise give up all Gambia but one fort and the Gold Coast protectorate. We do no good; it brings no return, but does much harm."

He believed, as the Government of the day had told that officer twelve years ago that they did not intend to enlarge their possessions, the right hon. Gentleman the Secretary for the Colonies would no doubt repeat the same statement which he made last year, that his policy was a similar one. And no doubt the right hon. Gentleman had broadly laid down that policy; but whatever might be his policy, whatever might be his intentions, he could not help extending the mode of settlement we now followed on the African coast. He would now state what had been done in the way of inquiry into this subject. On two occasions there had been Royal Commissions, but he did not think much had followed from them. An inquiry into the subject of the British settlements on the African coast was made in 1842 by a Committee over which Lord Stanley, now the Earl of Derby, presided. The ground of that inquiry was the fact already alluded to, that on the Gold Coast, which was then in the hands of a company, British merchants residing there were in the habit of supplying the slavers of Spain and other friendly Powers with equipments for carrying on that trade, for the suppression of which this country alone maintained those settlements. The Governors confessed their inability to suppress that practice, and such being the case, the Committee to which he had already referred came to the conclusion, and the House acted upon the Report, that the Crown should resume the government of the settlements, and of each under a separate Governor. But the question now was, whether, the Crown having resumed that government, the mischief which took place before had ceased; or whether it was not the case—as he believed it was—that a large body of merchants there, whose interests were opposed to our public policy, had so much influence in the government of those settlements that they still interfered with the action of the Government in effectually carrying out the sole object with which that House had established them there. The Committee of 1848-9, presided over by Mr. Hutt, and in 1850 the Lords' Committee, presided over by the Bishop of Oxford, both had in view the more general object of the best means for suppressing the slave trade. In 1853 the Committee presided over by Mr. Hume—and of which he himself was a Member—was appointed to consider how far the treaties for the suppression of that trade between this country and Spain and Portugal were carried out, and whether the large sums which had been voted to those countries for their consent in putting down the slave trade had been spent for the purpose for which they were voted. The subject of the settlements on the African coast only incidentally came under the notice of those Committees. But so far as they did they appeared to them of very questionable use in the suppression of the slave trade. The Committee of 1853 made it clear that the chief diminution of the slave trade arose from the stoppage of demand from Brazil. For his part he considered that the principle which was found to operate in ordinary commercial matters applied also to the slave trade—namely, that the supply was regulated by the demand. A blockading squadron might add to the difficulty and cost of carrying on the trade, but could not stop it. That was in fact beginning at the wrong end. The way to put down the trade effectually was to operate on the demand for slaves. As long as there was a demand for any commodity, whatever it might be, there would be a supply; and even if a wall were built round Africa there would not be a stop put to slave trade any more than there was to British commerce by Berlin decrees. He was happy to say that there had been a diminution in the slave trade; but it had been from a diminution in the demand. The demand for slaves was now confined to one spot—Cuba—and if pressure were put upon Spain, which winked at the trade, without ceasing on the coast of Africa to prevent the supply, we might hope for the speedy and complete suppression of the slave trade. That was the course which the King of Dahomey—who seemed to understand the principles of trade more clearly than Earl Russell—suggested when urged to assist in stopping the export. In the instructions given by Earl Russell to Captain Burton last year, when that officer was about to proceed on a mission to Dahomey, he said—

> "Remind the King that he himself suggested to Commodore Wilmot that 'if we wished to put a stop to the slave trade we should prevent white men from coming to buy them.' You will state that Her Majesty's Government, having determined that the traffic shall cease, will take steps to prevent effectually the export of slaves."

It appeared to him that the King of Dahomey took the more sensible view. What did Commodore Bruce say on the subject as the result of his experience?—

> "If the slave trade could be suppressed for 100 years it would break out again in six months after the removal of the suppressing force."

What was the opinion of Commodore Wilmot?—

> "The climate is against all military operations, for which reason we should exert chiefly our moral power, holding little country for trading purposes. Our present success is not worth the blood and treasure yearly sacrificed for it. The squadron I have great faith in, but it must have more vessels, and some of peculiar speed and stowage. The monotony of the blockade is killing to officers and men. You can form no conception of what they have to undergo. I cannot speak too highly of their conduct under such trying circumstances—for months at anchor, rolling terribly; thermometer 86 degrees; no change of companions; no supplies of fresh stock, except at long intervals. We have not sufficient vessels to insure certain reliefs. I hope you will give my testimony to the merits of officers and men, for they richly deserve it."

Depend upon it the step suggested by

the King of Dahomey will be found the most effectual in achieving the extinction of the slave trade, and may speedily supersede those preventive measures adopted at great expense by this country. He (Mr. Adderley) believed that before many years the Governments of America, France, and England would combine to put a pressure upon Spain that she could not resist, and that their efforts, which had been long and ineffectually made for the suppression of an infamous traffic, would be followed by a course which in one hour would be crowned with success. He was glad to observe that the Spanish Minister at Madrid was reported to have said the other day to the Cortes that stringent measures were about to be adopted for the suppression of the slave trade. If that promise were carried out, the day was not distant — a day they would all rejoice to see — when the culminating hope of philanthropists would be attained, and the slave trade would for ever cease to exist. But suppose that that day had arrived, it was well to consider now with what other object the four settlements to which he referred should be maintained. Two other objects had been assigned. One was for the promotion of legitimate commerce, and the other for the civilization of the Native races. With regard to the first, he would appeal to the hon. Member for Manchester, and to the hon. Gentleman who had lately resumed his seat in this House for Salford (Mr. Cheetham), representing as they did the trade associations of Manchester, and the plans which Manchester had formed for opening a cotton field in Western Africa, whether they were of opinion that the Governments on that coast, conducted as they now are, were likely to promote or to obstruct the objects they had in view. The last quotation which he would make was with regard to the influence of our West African Governments upon commerce, and it was as follows:—

> "There is probably more trade in palm oil in the Bights of Benin and Biaffra, and in ground nut on the coast between Sierra Leone and the Gambia, where no colony exists, than in all the British settlements put together."

Indeed, there was pretty good proof that as the Governments were conducted now, they were obstructing rather than promoting commerce. Colonel Conran, trailing the British flag round the territories of warlike chiefs, gave bad encouragement to peaceful trade. Now, as to the second object, civilization, he doubted whether it was right to tax this country for civilization, even for the high object of civilizing barbarous tribes in Africa. If the efforts hitherto made had been successful, perhaps nobody in that House would be found to complain. But had we any encouragement to hope that the civilization of Africa would be effected through the agency of that House? The missionary work was noble, but it was not subsidized. Voluntary action had been to a great extent successful, but governments had done little to help it, and much to disturb it. It was the opinion of an eminent missionary who belonged to the most liberal and devoted mission upon the West Coast —namely, the Swiss mission of Basle, which subscribed larger funds than any of the English missionary associations—that the Governments maintained by Great Britain upon that coast, as now conducted, were no assistance to the efforts of the missionaries for the civilization of the country. If that was the case what was to be done? He thought it quite clear that we must either go on or go back, that we must do a great deal more or a great deal less than at present. We must either render every Government secure by larger forces, open up the country, make roads, and extend our power in order to make it efficient for good, or else stand out of the way of the Native chiefs, who, if we were not there, would have a much greater control over their own subjects. Our commerce will find its way there without any civil or military establishments to protect it, and will indirectly civilize the country. The Committee of 1842 had led to a separation of the settlements, and, by making four little Governments instead of one great Government of Sierra Leone, they had deprived the country of the services of competent men, for now no salary was given which could induce an able man to remain there long. The consequence was that we were pretty certain to get Governors of an inferior stamp, and who would be jealous of each other, who would be acting one against another, each having a policy of his own, and each counteracting the policy of his neighbour. Another consequence of our present West African policy was territorial encroachments and territorial entanglements. Now, the question for the Committee would be, whether the experience we had had since 1842 and the new circumstances which had since arisen would not lead us, at all events, to concentrate our power there, to contract our engagements and the responsibilities which we had entered into; and whether the new means we had at our disposal and the steam power we could now command might not, by wise combinations, enable us to economize our strength, and to make a smaller force far more efficient. Certainly the aspect of the times and the state of the world do not invite us needlessly to scatter our forces on Quixotic errands. He had stated the grounds upon which he asked for an inquiry. Upon the grounds upon which these establishments were founded and are maintained — in the cause, namely, of the suppression of the slave trade, of the promotion of legitimate commerce, and of the civilization of Africa — he demanded inquiry, whether upon all these great objects our present system of government on the Western Coast of Africa was working satisfactorily.

MR. CAVE, in seconding the Resolution, said, he did not wish to be understood as concurring in all the observations of the right hon. Gentleman. If, however, he had urged no other reason in support of his Motion than the length of time that had elapsed since inquiry had taken place, he thought he was entitled to carry it. The investigation which took place in 1842 was held with a different object from that now on view, when the idea was all but universally entertained that no amount of money was too great to expend for the civilization of the African. A feeling, however, now prevailed that this attempt was somewhat Quixotic, and that to tax this country heavily for such a purpose was rather going beyond the proper duty of the House. He quite agreed with the right hon. Gentleman that the question of the slave trade was one of supply and demand. At the same time an important element which had not been alluded to entered into the question, namely, that of price. The present price of slaves was the only obstacle to the demand for them, being ten times as great as formerly. He believed that if the blockading squadron were removed, if the settlements were suddenly taken away, the price of slaves would fall to such an extent that the demand from Cuba would enormously increase, and the supply follow; and that the Government of Spain, which he hoped was contemplating a different policy, would find the temptation to allow a continuance of the trade too strong for them to resist. There could be no doubt that the settlements were in an unsatisfactory state, and he believed they had been conducted upon false principles from the beginning. Under the influence of the Anti-slavery Society, crowds of recaptured Africans were maintained in idleness at the public expense, at a time when labourers in this country were only able to obtain precarious, and in many cases insufficient, means of livelihood. The Committee of 1842 recommended, indeed, that they should be induced to emigrate to the West Indies, but they seemed half afraid of making such a reasonable recommendation, so strong was the feeling in this country against even the appearance of forced labour. He agreed with his right hon. Friend that the suppression of the slave trade was to be accomplished rather by concentration of means than by spreading them over a large surface. There was no reason to believe that the slave trade was not going on along the West Coast of Africa, but there were no captures because the fastest vessels on the coast were the slavers. The greatest speed of Her Majesty's cruisers was eight knots, while the slavers could make perhaps sixteen knots. He could not go so far as to say that these settlements should be done away with; it might have been wrong to place them there in the first instance, and they might have been badly administered, and many of the evils alluded to were caused by faults in administration, not by any necessary or inherent defect; but it would be impossible suddenly to suppress them. If they were suppressed the loss of prestige would be very great; other nations would probably take them up, and it would not be wise, he thought, to give to France, for instance, a greater share of power on the West Coast of Africa; for France was not to be trusted in the matter of slave trading. All these settlements had a considerable revenue, and he did not see why with better administration they might not be self-supporting. Sierra Leone had a revenue of £30,000 a year, but the expenditure was very great, the salaries alone having risen from £17,000 in 1860 to £20,000 in 1862. There was a mixed commission there, it was true, but it was a bad place for a mixed commission; vessels had to beat up to it, and few cases, therefore, had been taken there for adjudication. One of the subjects which the Committee would have to investigate was the reason that, while the imports and exports from the whole of the coast had increased from £3,000,000 to £4,000,000 the commerce of the British settlements had decreased. It had been asked what would be the use of the occupation of these stations if the slave trade was at an end. He would answer that they were useful for the prevention of piracy and for the protection of British vessels, even on other parts of the coast. He wished to make one suggestion, that was that care should be taken to obtain competent practical witnesses. The Committee of 1842, which was founded upon a Commission, examined among a great many witnesses — Dr. Madden, who was the principal Commissioner who had officially visited these settlements for the express purpose of collecting evidence, and a number of naval and military officers who had been out on the coast in question; and it would be a great pity if this inquiry should be conducted without sufficient witnesses of the best kind, and should fail in consequence of obtaining only speculative evidence. He gladly seconded the Motion for the Committee.

Moved, That a Select Committee be appointed "to consider the state of the British Establishments on the Western Coast of Africa."—(*Mr. Adderley.*)

Lord ALFRED CHURCHILL said, that after the very able and elaborate statement of his right hon. Friend, it would ill become him to occupy the time of the House to any great extent by enlarging upon what had been already stated. He must, however, express his satisfaction that his right hon. Friend had redeemed the pledge that he gave at the end of last Session in moving for this Committee at so early a period of the present year, because he believed that there were ample materials to occupy the attention of the Committee for a very considerable part of the Session. The unfortunate Ashantee war, which last year was the cause of so much pain in the House, was of itself sufficient ground for a Committee, but there were other reasons why an inquiry should be now undertaken. The state of affairs on the West Coast of Africa was now, and had been for a considerable period, most unsatisfactory. Without any intention to prejudice the present occupiers of the Colonial Office, he must say that that matter had been the *bête noir* of the Department. The unhealthiness of the climate and various other causes of that nature had militated in a great measure against the full development of the resources of the country immediately bordering upon the British settlements. Cape Coast Castle was one of the oldest, if not the oldest, British settlement. It was instituted about 150 years ago, when England was a slaveholding Power, for the purpose of enabling us to procure slaves to send to our settlements in America. It had been computed that before the slave trade was abolished we had exported 960,000 slaves from the African coast to America, and we had thus incurred an enormous responsibility; and, as a Christian country, we were bound to make good in some way to the unfortunate people of Africa our depredations there. Therefore the idea of giving up any of the settlements on the coast would not, he thought, find favour in England, and he did not understand the Mover of the Committee to make any such suggestion. All he understood the right hon. Gentleman to say was that the present method of government required inquiry, and that we must either increase our responsibilities by occupying and forming a colony of the protected territory, or we must reduce our responsibilities by limiting the area over which we now professed to exercise protection. The climate, the right hon. Gentleman had stated, was notoriously unfit for the Anglo-Saxon race, and that was the reason why more had not been done there. It had been difficult to get men of a superior class to undertake the charge of government on that coast, but he believed it would be quite possible to locate the Government officers on the higher grounds of the hills. The same objection was made to Jamaica and our West Indian colonies till it was found out by going to the top of the hills the amount of sickness was very much reduced, and on the West Coast of Africa there were very high hills indeed, where a climate might be found in which the health of Englishmen would not suffer at all. We had been at a charge of £1,000,000 to support the slave trade squadron, but he concurred with the right hon. Gentleman that where there was a demand there would always be found a supply. He thought one question for the Committee would be whether it was possible that England might be induced to make the protected territory into a colony which would be self-supporting, seeing that at present we exercised little or no control over the Native chiefs, and had done nothing by education beyond the voluntary efforts of missionaries, or by making roads which by opening out fresh country, would give facilities for their cultivation. He did not mean to say that he was prepared to adopt that view at once, but inquiry might be made in that direction. There were others who thought it much better that we should give up the whole of the protected territories, and simply retain the forts as places where there might be stationed small executive Governments and a few soldiers, but he did not think if we simply did that we should be exercising the same control over the slave trade that we did now; whereas, if we made a colony of the protected territory, he believed the free-grown cotton, coffee, and other things, which would be brought into competition with the slave-grown produce of other countries, would tend to reduce the value of slave labour. So fully alive were the natives of Cape Coast Castle to the inquiry about to be instituted, that they had subscribed large sums for the purpose of sending over here witnesses of their own to place their case clearly before the Committee. At the present moment, too, there was in this country the able representative of the Basle Missionary Society, which adopted the plan, while instructing the Natives in the Christian faith, of teaching them the occupations of civilized life—such as carpentry, blacksmith's work, and other useful employments—and by these means they led the Natives much more easily than did the simple missionary, who confined his operations exclusively to religious teaching. It was unfortunate that in Gambia trade had been falling off. While the number of English vessels had considerably diminished, there had been a corresponding increase among the French. He thought it was a fit subject of inquiry as to whether our system of government had or had not in any way suppressed the energy of our merchants in trading to that country. There was no doubt we had on the coast of Africa enormous resources, capable of supplying this country with raw material for our manufactures. He believed that last year we imported to England from Cape Coast Castle fifty tons of cotton of a superior kind to most of the Asiatic cotton. Therefore, by giving fair and proper encouragement to the trade, we should no doubt enable them to increase the produce of this superior article, and thus to compete with slave-grown cotton. He could only further express a hope that the inquiry would lead to great results for the material and moral improvement of that part of Africa.

LORD STANLEY: The noble Lord has improved the occasion for the purpose of advertizing his missionary society. I do not object to that, for if the accounts we have are correct, it stands in considerable need of some such support. But that is not my reason for rising. I think my right hon. Friend (Mr. Adderley) has done good service in bringing this subject before the House; and I do not at all regret that that other and larger question, the African squadron, is not at least in form made part of the inquiry. I do not believe it is possible altogether to leave that out of the question. I do not believe it is possible to go into one part of the subject, of our relations with the West Coast of Africa, without dealing also with the rest. But it is quite large enough for a separate investigation; and as we have borne with that remarkable English enterprise for so many years, we may, I think, very well endure it for some time longer. For my own part, I do not wish to conceal my opinion that if the people of this country knew what has been and what is the waste, I do not say of money merely but of what is much more important, valuable lives on that coast, that African squadron would very shortly be numbered with the things of the past. I do not believe there is a year or even a month that passes in which the service on that coast does not put an end to some life among our officers, which, measured by any rational standard of comparison, is worth more than the merely animal existence of a whole African tribe. But that matter may very well stand over. What I wish to urge on the right hon. Gentleman (Mr. Cardwell) is not simply that he should sanction this inquiry, which I believe he is prepared to do, but to allow the order of reference to be made wide enough to cover that which is the real question at issue. If we are merely to go into the question of civil and military expenditure to see whether it be possible to keep up these establishments at somewhat less cost than we incur at present, that is altogether an insignificant matter. The real question is whether there are not some at least among these settlements which involve us in great outlay and risk, and the maintenance of which serves no useful purpose. When I say they serve no useful purpose, I mean that they do not answer the end of promoting our trade; because I suppose nobody imagines that we increase our political influence or our military power by retaining them. No enemy is likely to attack our settlements on the African coast; and if he did he would soon find that the attempt brought its own punishment, he would be likely to lose his army from disease and to take nothing from his conquest. And as to that other point raised by the noble Lord who preceded me—that which I may call the philanthropic part of the question—I think we are in that respect acting in some degree under a delusion. Whenever that matter is discussed, either in the press, in this House, or at public meetings, it is constantly assumed that in some way or other we are responsible for the fortunes and destiny of the African race. Now I confess I do not see that that is in any manner the case. I can quite understand how an impression of that kind should have existed. The feelings of this country thirty years ago may well be excused. Every great movement gives rise to strong feelings; and it is quite natural that the men who put an end to the slave trade, and had just succeeded in abolishing slavery, and who had the evils of those two systems strongly impressed upon their minds, should have felt that some reparation, some compensation, was due to those whom we had injured. But, after all, we must look at the case as it really is. The slave trade was not created by England or by any European country. You may carry back its existence in Africa, I believe, to a period anterior to any recorded history. We do not know of any time when it did not exist in the interior of Africa. Englishmen found it there and used it; and I do not deny that they aggravated its evils. But they did not originate it, they only took it up as it stood. And now, thirty years after the extinction of slavery, and sixty years after the legal extinction of the slave trade, I think we may fairly hold that whatever debt we owed to the people of Africa has by this time been paid off. If we talk of civilizing the Africans I am afraid we had better first look at home. We have not to go five miles from the place in which we are sitting to find plenty of persons who stand as much in need of civilizing and who have as little done for them as the negro. Therefore, I say, we ought to view this simply as a matter of trade; and then the question is very much narrowed. We have only, or at least mainly, to consider whether the trade that is carried on at these various points which we occupy is increasing or diminishing, and whether there is any reason to think that at any point it would be greater or less if our occupation were to cease. I have looked at the statistical returns, and although the returns of the revenue and those of imports and exports do not precisely agree as to the inference which they suggest, and although there may be an increase of trade at Sierra Leone and the Gambia River, yet in one place at least—at the Gold Coast—there is a very considerable falling off. We have to ascertain whether that falling off is likely to be temporary or permanent; we shall also do well to compare the amount of trade at the ports occupied by the British Government with the immensely increased trade which has taken place along the coast generally; and upon that comparison it will be for the Committee to express its opinion as to whether the English occupation has really created or fostered commerce. As to morality, I apprehend that there is no evidence to show that, at Sierra Leone at least, the oldest, the longest occupied, and the most important of these settlements, we have attained any great success in that particular. On the contrary, it might be found that we had produced a race the most worthless of any in the world. One word only upon the question of the expense of these settlements. I have no doubt we shall hear whatever is to be said in their defence; and it may be stated that, as far as civil government goes, they cost very little, and that even their military expenses are not very considerable. As to civil government, I would point out that, with the exception of the Imperial forces, which stand in a different class, these are the only colonies which entail on us any charge whatever for their civil government, excepting, perhaps, one or two of the smaller West India Islands. With respect to military expenditure, in the first place the defence of these establishments is mainly naval, and it is difficult to estimate what is the particular amount of naval force you are maintaining on the coast for that special object. In the next place, their military cost is not to be measured by the extent of the force you keep up there. The real burden is the responsibility you have undertaken, and the limit of which you do not know and nobody knows. Recollect how the matter stands. You cannot afford to send out as governors or persons in authority in these colonies, in any sense, your best men. No man will go out to Africa who can find employment elsewhere. I do not speak with reference to the present occupants of these offices—I do not know who they are; but you must take, not the men whom you would choose for such situations, but the men whom you can get. Communication, although improved, is not very frequent, the distance is considerable, and in the hands of these men, placed there with no influence brought to bear upon them such as a large British population can always bring to bear on those who govern—in the hands of men chosen as I have mentioned, surrounded by negroes, having everything their own way about them, you are compelled, to a great extent, to leave the power of peace and war, and an authority the exercise of which may at any moment involve the sacrifice of thousands of lives and many millions of money. I do not wish it to be inferred, from what I have said, that I am ready to commit myself at once to the absolute abandonment of these posts. But I think there is a *primâ facie* case made out for inquiry as to whether they are worth retaining. And holding that opinion to some extent with regard to them all, I think it does more particularly apply to that one of which we know the least, and with which the business we do appears to be decreasing, the Gold Coast, where, in a country extending over some 300 miles, you are surrounded on all sides by utterly savage and warlike tribes, and have constituted yourselves, so to speak, the head of a confederacy over which you have very little material power. That settlement is in so peculiar and so anomalous a position that I think it might deserve to be made a special subject of inquiry.

MR. CARDWELL: I have very great pleasure in acceding to the Motion of the right hon. Gentleman opposite. It is quite right that there should be an inquiry into this subject, and I am perfectly prepared to answer the appeal made by the noble Lord as to the order of reference, and to say that I shall not seek to limit the form of it. It appears a perfectly fair subject of inquiry how far these settlements have attained the ends for which this country instituted and maintained them. But I trust, I may say, without offence to the noble Lord, that I did hear with some regret the expressions which fell from the noble Lord with regard both to missionaries and the efforts which this country has made for the suppression of the slave trade. I hold in the highest esteem the labours of those men who, denying themselves the comforts and happiness of home, leave their own country and devote themselves to spread the Gospel, in which they sincerely believe, among the most benighted and miserable inhabitants of any portion of the Globe. [Lord STANLEY: I said nothing against them.] I certainly most willingly retract what I have said if the noble Lord thinks it unjust, because I should sincerely welcome his acccession to the sentiments I myself entertain. [Lord STANLEY: I expressed no opinion on the subject.] The noble Lord certainly said the noble Lord behind me (Lord Alfred Churchill) had advertized his missionary society, and it stood greatly in need of such an advertizement. It was that expression that led me to make the remark I did. Now, with regard to the efforts we have made for the suppression of the slave trade, I own I do not know a nobler or a brighter page in the history of our country, following, I am sorry to say, upon a darker or more discreditable page than that which begins with the abolition of the African slave trade, which was consummated by Lord Derby and the Government of 1833 in the total extinction of slavery throughout the British dominions, and which is continued in the efforts we are making to inculcate on other countries, and enforce by our efforts on the Coast of Africa the removal of that great, that worst of all the curses, that have ever afflicted humanity. I do not agree with the noble Lord that the slave trade can be traced back anterior to the time of history, and that it did not originate with the European race. I believe that the slave trade, of which we all speak in the terms of horror which it deserves, was instituted originally between the Spanish colonies in America and the Coast of Africa, and in it unfortunately Great Britain for many years bore a large and disgraceful part. I agree with the right hon. Gentleman (Mr. Adderley) in quoting the language of the King of Dahomey, that if the white man had not been there to buy the slave the African slave trade would not have been carried on to the extent it has been. But, thus fully agreeing in the propriety of this inquiry, and not at all disposed to limit its scope and object, I must say I regretted to hear one portion of the right hon. Gentleman's speech. Knowing as he did that we were perfectly prepared to grant the Committee, it was not necessary for any purpose he had in view to refer in terms of reproach to those holding the Government offices on that coast. When about to enter on an inquiry which we are willing should be full, free, and searching, we had better, I think, go into that inquiry in a dispassionate spirit, not having previously condemned those who are to be brought before it, but prepared to hear all that may be said on both sides, and reserve our ultimate judgment till we know what evidence will be brought before us. Now, with regard to Governor Pine of the Golden Coast, I much regret the remarks that have been made with reference to him, and must say when the hon. Baronet opposite (Sir John Hay) brought forward his Motion last year it was not as a personal attack on the Governor. On the contrary, such an attack was pointedly and repeatedly disclaimed. I am not now going to enter into what the right hon. Gentleman called a second Ashantee war with him. I will not enter into the charges brought against Mr. Pine. He has expressed his desire to appear in this country. I am giving him permission to do so. He will have the opportunity of appearing before the Committee. The right hon. Gentleman will have the opportunity of asking him what questions he likes, and Mr. Pine will have the opportunity of making what answers he thinks fit. But what I do wish is the opportunity of making on his part a simple explanation with regard to a matter which gave him great pain last year, and which I was not then in a position to explain. There was an impression last year that he left the Colony in the *Rattlesnake* for the benefit of his health, without having made with Colonel Conran the arrangements necessary for the welfare of his troops. That statement caused him great pain. But I have since been informed that he had made with Colonel Conran the arrangements necessary for the welfare of the troops before he left the coast in the *Rattlesnake* for the benefit of his health, and I must say, whatever judgment we may form of his conduct when we have heard his evidence before the Committee, I feel quite certain that he is a person who in difficulties would not be disposed to spare himself or throw the burden on others. Having said that with regard to the inquiry and Governor Pine, I will just say what I think has been the object of these settlements. I am glad to find that the right hon. Gentleman seems in the main to agree with me. Certainly, the object is not colonization. In that climate, under those circumstances, no man living would wish to see the Anglo-Saxon race emigrate and settle there. Colonization, in the proper meaning of the name, is wholly and entirely foreign to the purposes of those settlements. For what, then, were they intended? The main objects were first that they should be ancillary to our other efforts for the extinction of the slave trade and its attendant cruelties, next that they would tend to the prevention of those horrors which the Committee of 1842 and former inquiries, partly now forgotten, brought to light—I mean human sacrifices and various other abominations which prevailed on the coast of Africa; and, lastly, the introduction of legitimate trade. These were the objects which the country had in view in establishing these settlements. Now it is for the Committee to inquire, and I will not express my opinion till I have heard the evidence, how far these four settlements are ancillary to, and do subserve these objects. But this I do say, that whereas that range of coast from Gambia on the north to Lagos on the south was the great nest and focus of the slave trade, it is now almost entirely free from the slave trade, and the squadron is enabled to confine its operations to a few points where the slave trade is still unfortunately carried on. As an instance of this we have heard that for some time past there has been a slaver waiting at Whydah to take off a cargo, but so close, vigilant, and effective has been the guard of the squadron that she has not been able to leave. This being the case, I think it a very fair subject of inquiry; and I shall be very glad that it is inquired into how far these settlements do and how far they do not promote the objects for which they were established. The remarks I have to add will be few; but I am bound to say when I go on to consider the question in detail the same difficulties which struck the right hon. Gentleman present themselves strongly to my mind. It appears to me worthy of all serious consideration whether if you had one object or policy in view it was wise to have four separate establishments. Entirely dissociated from one another in Government and a total absence of communication between them, might they not lead to four separate policies where there ought only to have been one? Instead of the expense of four Governments, might they not be united under one administration, where greater economy would have been introduced? Would not four military forces, separate from each other, naturally tend to make each governor desirous to carry his own military force to the maximum, to be prepared for all emergencies, and thus producing a constant tendency to increase the force on the coast? Would not having four governors be likely to encourage the recurrence of four difficulties at the same time, whereas under one governor he would temporize and dispose of one before he got into another. I think these are fair and legitimate objects of inquiry. I find, in point of fact, there has been a considerable increase of late in the number of troops kept on the coast, and, instead of that increase of force having satisfied the demand for force, the demand for force was still increasing. It appeared that if the force, which consisted of two regiments, were retained, it would be necessary to trouble Parliament with a demand for money to erect buildings for their reception, the present buildings being insufficient for the purpose. That was a point upon which I could not delay coming to a conclusion, for either the buildings must be provided, or at the approach of the next rainy season the troops must be removed. The conclusion to which my noble Friend the Secretary for War and myself came was, therefore, not to ask the House pending the inquiry we knew would take place for an increased Vote for buildings, but to diminish the force. As to the general question, it seemed to me, after the notice that was given by the right hon. Gentleman and the weighty opinion expressed by the noble Lord opposite and others, that it would be more satisfactory to the House and the country, that there should be an inquiry than that the subject should be dealt with by anticipation, without inquiry. But I have another strong reason for desiring the assistance of a Select Committee. This is not a new question. The establishment of these separate settlements in their present form—I do not speak of Lagos, which was a recent affair, but of the Gold Coast and Gambia—dates from an inquiry by a Committee of this House, of unusual authority—a Committee on which sat Lord Derby, then Colonial Secretary; Lord Russell, ex-Colonial Secretary; you, Sir, and other Members of influence. It was on their express recommendation that separate governments were established. I think, therefore, it is right we should now have the authority of a fresh Committee and further evidence in order to decide what should be done. As the right hon. Gentleman had given notice of his Motion for a Committee I deemed it my duty to prepare for it during the recess. I therefore requested General Ord, Governor of Bermuda, who was at home on leave, but was willing to undertake the duty, and having twice before fulfilled missions to the Coast of Africa was peculiarly fitted for it, to visit the settlements in question. He has done so, and has returned. When the Committee meets the instructions under which he went out and the report he has made will be the first documents laid before it. I cannot state the contents of that report, as I have not yet received it. But from conversation with General Ord, I understand he will inform the Committee that the settlements are important ancillaries for the purposes for which they are intended, but that many suggestions may be made for increasing their efficiency and diminishing their expense. It is entirely in accordance with his opinion that my noble Friend the Secretary for War and myself have taken, or, rather, are about to take, the step of reducing the force now employed on the Gold Coast. I have thus shown the views the Government entertain. In conclusion, I can only say that I shall enter upon this inquiry with the greatest willingness and pleasure, and I sincerely trust that the result will be not only increased efficiency and economy in such settlements as you may think it expedient to maintain on the Coast of Africa, but I also earnestly trust that you will go into this Committee in the spirit in which I understood my hon. Friend has moved for it—not a spirit of desire to withdraw from the noble efforts to suppress the slave trade, but a desire that those efforts should be real and efficient. I know no enterprise more noble in which this country has ever engaged, and, looking around at what is passing in other nations, I cannot help thinking that this is not the moment to flinch from the task. There are signs of promise in the sky, and there is an earnest desire to abolish this infamous traffic amongst civilized and humane countries such as has never been seen since the day when England herself abolished slavery.

Motion *agreed to.*

Select Committee *appointed,* "To consider the state of the British Establishments on the Western Coast of Africa."

And on March 3, Select Committee *nominated* as follows:—

Mr. Cardwell, Mr. Chichester Fortescue, Sir Francis Baring, Lord Stanley, Mr. Seymour Fitzgerald, Sir John Hay, Mr. Buxton, Lord Alfred Churchill, Mr. Arthur Mills, Mr. Baxter, Mr. William Edward Forster, Mr. Gregory, Mr. Cheetham, Mr. Cave, and Mr. Adderley:—Power to send for persons, papers, and records; Five to be the quorum.

BOROUGH FRANCHISE EXTENSION BILL. [Bill 32.]

LEAVE. FIRST READING.

Mr. BAINES: I have to ask the permission of the House to introduce a Bill for the purpose of extending the elective franchise in boroughs in England and Wales. As I understand that this Motion is not to be opposed, I shall of course follow the usual custom of the House by not making any observations upon the merits of the question on the present occasion, but leave those remarks to be made on the second reading of the Bill. I may, however, state that my object is to give a moderate and yet substantial and valuable extension of the franchise to classes who constitute the great bulk of the people, and who are now entirely excluded from the privileges of the Constitution. I propose to do this by the simplest of all means, and in a manner that has been proposed in this House on high authority—namely, by lowering the borough franchise from an occupation of £10 to an occupation of £6. I believe I may, without provoking discussion at the present time, ask the Government and the House to do me the favour of giving their consideration to one important question before this matter is discussed—amply and fairly, as I hope it will be, on the second reading—and that is this:—This is the last Session of the present Parliament, and it is precisely with that knowledge that this question of the alteration of the franchise ought to be discussed and settled. I believe they will find there are many reasons in favour of this. The whole country would be saved the trouble and the cost of one general election, if a question of this nature were settled at the end instead of being settled at the beginning of a Parliament. If we have a great extension of the franchise, it is obvious there must be a dissolution immediately, in order to allow the new voters to exercise the franchise to which they will be entitled: and having regard to the public interest, having regard to justice, having regard to the position of the Government and the Members of this House, I appeal to you to consider if, in this present Session of Parliament, it might not be the most wise as well as the most just course to make an extension of the franchise to the country.

Mr. AYRTON, referring to the absence of the Government at the moment, Mr. Brand being the only official Member present, said, it was due to the country to take notice of the condition of the House on this occasion. It was not, perhaps, to be expected that hon. Gentlemen on the other side should grace the House with their presence at that time. It did happen, indeed, that a Member of the late Administration (Mr. Adderley) was present, but that was due to the accident that a Motion in which he was interested had just been disposed of. It was natural, however, that there should be some curiosity to learn the views of the Government on a question of such importance. Not long before, there were some Members of the Government present, but when his hon. Friend the Member for Leeds rose they all fled from the Treasury Bench, as if they were going to be reminded of some crime they had committed. No doubt it must be most painful to them to see his hon. Friend introducing this question, and to which a few years ago they were pledged, and to which they professed to attach so much importance, that they thought it their duty not to allow the present Opposition to retain office a moment after the beginning of the present Parliament. If there were any Members of the Government in or about the House they ought to be in their places; but even those who were in attendance carefully avoided the Treasury Bench. This was a curious illustration of the way in which the Government redeemed the solemn pledge on which they came into office. The present state of the House was a most distressing condition of things, and he thought it ought to be known, in order that it might be understood throughout the country what were the feelings of the Government on the very question on which they came into office.

Mr. J. J. POWELL observed, that there were many Members deeply interested in this question who were not present because they understood there was to be no debate. He need scarcely remind the hon. Member for the Tower Hamlets that it was on the second and not on the first reading of a Bill that the Government and other Members discussed the principle of the measure, and declared their views concerning it. He thought, therefore, that the remarks of the hon. Gentleman were uncalled for. At the same time, he trusted to hear a full statement of the opinions of the Government on the next stage of the Bill.

MR. BAINES explained that it was perfectly understood between the Government and himself that there was to be no discussion that evening.

Motion *agreed to.*

Bill to extend the Elective Franchise in Boroughs in England and Wales, *ordered* to be brought in by Mr. BAINES, Mr. BAZLEY, Mr. SCHOLEFIELD, and Mr. WILLIAM EDWARD FORSTER.

Bill *presented,* and read 1° [Bill 32].

LIBEL BILL. [BILL 33.]

LEAVE. FIRST READING.

SIR COLMAN O'LOGHLEN moved for leave to bring in a Bill to amend the law of libel, and for more effectually securing the liberty of the press. The subject of legislation upon the law of libel was no novelty in that House. In the last century a Bill, known as Fox's Act, made a great change in the law of libel, and introduced many valuable improvements. From that time down to the year 1843, though various attempts for the purpose had been made, there was no substantial change in the law. In the latter year, however, on the recommendation of a Committee of the House of Lords, an Act, commonly known as Lord Campbell's Act, was passed, and since then the law had remained unaltered. He (Sir Colman O'Loghlen) did not intend to alter the law as to what should be held to be a libel, but to introduce such alterations in it as would conduce to the public advantage and to the liberty of the press. There was an anomaly in the present law, differing from, as it did, most other remedies for wrongs in that respect, that the person complaining of libel had the power either of resorting to a criminal court, or bringing an action for damages. Many persons who had considered the subject had recommended that the power of proceeding in a criminal court should be taken away. No such power existed in Scotland. He, however, was not prepared to abolish criminal proceedings for libel, but he thought they ought to be regulated, and for this purpose he proposed that no indictment should be allowed to be sent up for libel without the consent of the Attorney General or Solicitor General. That provision would prevent the power of indictment being abused, whilst it would not take away what he considered a salutary provision in the present law. He also proposed that on the trial of an indictment the defendant should be admissible as a witness. These were the two principal changes he proposed to make in criminal proceedings in libel. With respect to civil proceedings the House was aware that, according to the present law, newspaper proprietors were liable for any defamatory matter appearing in a report of a public meeting, the person uttering such defamatory language being neither civilly nor criminally answerable. That was a state of the law which ought no longer to exist. If a man came deliberately to a public meeting, knowing that reporters were present, and there purposely made a defamatory speech against another person, he ought to be considered as guilty of a libel as if he had written and published what he said, and the after publisher of it ought not to be responsible for the defamatory language used. He (Sir Colman O'Loghlen), therefore, proposed that if a person at a public meeting made a defamatory speech against another he should be criminally and civilly answerable for so doing. No action should be brought against newspaper proprietors for publishing such a speech, but the person making it should alone be liable. This would not affect the privilege of Parliament, or of the courts of justice, or of any bodies to which the privilege as to reports extended. It was impossible for reporters at public meetings always to decide what was or was not defamatory matter, They sent off their slips with the greatest possible haste, and they were printed with the same haste, and he thought that it was monstrous that the newspaper proprietor should be liable for the publication of defamatory matter uttered in a speech at a public meeting, when the person who made the speech was not liable. If a man of straw should make such a speech he (Sir Colman O'Loghlen) would enable the party libelled to proceed criminally, with the sanction of the Attorney General, either against the proprietor of the newspaper or against the party who made the speech. He also proposed to make another alteration with regard to what should be a defence to a charge of libel. At present the truth of a libel was the only or at least the chief defence known to the law, but there were cases in which a *bonâ fide* belief in the truth of a statement ought to be a defence, provided defamation was not intended; such as if the publication was for the public benefit, and he had prepared a clause to that effect. According to the present law, newspaper proprietors were subject to most vexatious actions, and every part of a justification must be proved, and though the party did not recover more than 40*s.*, each party had to pay his own costs. He proposed that if the party did not recover more than 20*s.*, he should not only pay his own costs, but the costs of newspapers against which the action was brought, and that if he did not recover more than 40*s*, he should not be entitled to a larger amount of costs.

Motion *agreed to.*

Bill to amend the Law of Libel, and for more effectually securing the liberty of the Press, *ordered* to be brought in by Sir COLMAN O'LOGHLEN, Mr. LONGFIELD, and Mr. HENNESSY.

Bill *presented,* and read 1° [Bill 33].

RAILWAY CONSTRUCTION FACILITIES ACT (1864) AMENDMENT BILL.

On Motion of Mr. WHALLEY, Bill to repeal so much of the Act of the twenty-seventh and twenty-eighth years of Victoria, chapter one hundred and twenty one, entitled "The Railway Construction Facilities Act, 1864," as prevents the Board of Trade from proceeding on the application of promoters in cases where any Railway or Canal Company affected in any way by the proposed undertaking may lodge notice of opposition, *ordered* to be brought in by Mr. WHALLEY and Mr. M'MAHON.

Bill *presented,* and read 1° [Bill 37].

BANKRUPTCY AND INSOLVENCY (IRELAND) ACT AMENDMENT BILL.

On Motion of Sir ROBERT PEEL, Bill to amend "The Irish Bankrupt and Insolvent Act, 1857," *ordered* to be brought in by Sir ROBERT PEEL, Mr. MILNER GIBSON, and Sir COLMAN O'LOGHLEN.

Bill *presented,* and read 1° [Bill 34].

INDUSTRIAL EXHIBITIONS BILL.

Resolution *considered* in Committee.

(In the Committee.)

Resolved,—That the Chairman be directed to move the House, That leave be given to bring in a Bill for the Protection of Inventions and Designs exhibited at certain Industrial Exhibitions in the United Kingdom.

Resolution *reported.*

Bill *ordered* to be brought in by Mr. DODSON, Mr. MILNER GIBSON, and Mr. ATTORNEY GENERAL.

Bill *presented,* and read 1° [Bill 36].

CHURCH RATES COMMUTATION BILL.

On Motion of Mr. NEWDEGATE, Bill for the commutation of Church Rates, *ordered* to be brought in by Mr. NEWDEGATE and Lord ROBERT MONTAGU.

Bill *presented,* and read 1° [Bill 35].

House adjourned at a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Wednesday, February 22, 1865.

MINUTES.]—PUBLIC BILLS—*Resolutions Reported*—Courts of Justice Building [Deficiencies, &c.]*; Common Law Courts (Fees)*.

Ordered—Common Law Courts (Fees)*; [39] Affirmations (Scotland)* [40].

First Reading—Court of Chancery (Ireland) (No. 3)* [38].

Second Reading—Private Bill Costs [7]; Felony and Misdemeanor Evidence and Practice [21].

Select Committee—Private Bill Costs *appointed* (*List of Members*).

Considered as amended—Civil Bill Courts Procedure (Ireland) Act (1864) Amendment* [29].

PRIVATE BILL COSTS BILL—(BILL 7.)

SECOND READING.

MR. SCOURFIELD, in moving the second reading of the Bill, said, that he had introduced it in consequence of the Report of the Committee over which he presided last year. He made a suggestion to that Committee which did not go so far as to recommend the immediate introduction of a Bill; but the Committee, at the instance of Mr. Massey—than whom he could name no higher authority—agreed to a recommendation that a Bill should be introduced for giving costs in certain cases. At the same time, it was right that he should state that he was thoroughly convinced of the justice of the measure, in favour of which there was a great weight of authority. In 1853 a Committee, which was presided over by the right hon. Gentleman now Secretary of State for the Colonies (Mr. Cardwell), recommended "that provision should be made for the payment of costs in cases where the proceedings of any party shall appear to have been illusory, vexatious, or unwarrantable." Whenever the subject had been discussed the principle had been admitted, and the last Committee on railway matters had unanimously reported in favour of a measure of this kind. Last year he presented to the House a Bill, on the back of which was also the name of the late Chairman of Committees, Mr. Massey; but in consequence of the lateness of the period of the Session at which it was introduced, he was induced to withdraw it. He was determined that no such objection should exist this year, and, therefore, he had brought in this Bill at the very commencement of the Session. There was some difference of opinion as to the language which should be used to describe the cases in which costs should be allowed. Besides the words "illusory," "vexatious," "unwarrantable," it was suggested that there should be introduced such words as "unfounded," "unsuitable," and "unnecessary." That might be considered in Committee. He did not care what words were used so long as they attained the object which he had in view, which was to discourage a class of persons who might be generally described as people who get into other people's way merely for the sake of being paid to get out of it. When people got into your way on the pavement they were removed by the police, and last year the hon. Member for Derby (Mr. Bass) induced the House to pass a measure for the removal of persons who got in the way of others by the performance of music. Now whatever difference of opinion there might be as to the pleasure to be derived from musical performances in the streets, there could be none as to the character of persons who got in the way merely for the sake of being paid to get out of it. In the first instance the feeling of the Committee was in favour of giving costs only to the opponents of Bills; but upon further consideration they thought that the House would hardly be disposed to agree to a one-sided measure, and that it would be fair to give costs in cases in which parties had opposed Bills upon what might be considered colourable and false grounds. The only case in which he could conceive a Committee would give costs would be when the proceedings were vexatious and colourable; but if any one came forward *bonâ fide* to defend his rights, of course he would not be made to pay costs. The wording of the clause was a matter of difficulty and delicacy, and he would be glad of any suggestions in Committee on that point; but what he intended was substantially to prevent unnecessary and vexatious proposals or oppositions.

MR. CRAWFORD seconded the Motion.

Moved, "That the Bill be now read 2°." —(*Mr. Scourfield.*)

MR. DENMAN said, he had read the Bill carefully, and believed it would be a very valuable piece of legislation so far as its spirit and principle were concerned. No one could have attended these Committees as counsel, or sat upon them as a Member of the House, without feeling that there was a vast amount of unreasonable and unnecessary litigation. But the Bill as it stood was, he thought, a little too large in its terms, as it gave a power to throw costs upon any party if unsuccessful; but want of success was no proof either of vexatious or unreasonable proceedings. If the hon. Member would alter the words so as to give power to the Committee to award costs whenever the scheme or the opposition was "unreasonable or vexatious" the Bill would then really meet the case he supposed the hon. Member had in view. He should therefore support the principle of the Bill by voting for the second reading; but in Committee it would, he thought, be desirable to alter the terms so as to define more accurately what was meant.

MR. PUGH said, that the Bill was an even-handed measure in this respect—that, as had been stated by his hon. Friend who introduced it, it dealt equal justice to both sides, and mulcted equally those who improperly opposed as well as those who improperly promoted railway projects. But he hoped that, in any legislation that might take place, care would be taken not to throw difficulties in the way of those who were engaged in introducing railways into those parts of the country that stood in great need of them. If they looked at a railway map they would observe that the heart of the country was covered with a network of railways, while other parts were still comparatively unprovided with them; although, as had been truly said, nearly £400,000,000 had been expended in railway construction. He would instance that part of the country with which he was most connected—Wales; also a great part of Devonshire, Cornwall, the West of Ireland, speaking generally, and the West of Scotland. There the railways are few and far between. It might be said there was a reason for this; that the districts to which he had alluded were less populous, less wealthy, and more distant from the great marts of commerce and manufactures. But if that were so, inasmuch as it was a matter of public policy, and of great importance, that every part of the country should be accessible by railways, so that the Empire might be consolidated, or coiled up, it would be wise not now at the eleventh hour to increase the difficulties of those who, by reason of their natural position, had already sufficient to contend with; but, on the other hand, it would be well to give them every assistance and encouragement on all occasions. He said this particularly with reference to that part of the country to which he belonged, in the welfare of which he was especially interested.

MR. TORRENS hoped that the principle of the Bill introduced by the hon. Member for Haverfordwest (Mr. Scourfield) would be favourably received by the House, and would be passed into law with any alterations that might be required. But, at the same time, he regretted that it did not go further and contemplate giving Committees power to award costs in all Private Bills. He would take that opportunity of giving one instance out of many of hardship inflicted on opponents by promoters of Private Bills other than Railway Bills. Last Session a Bill was introduced by the Belfast Waterworks Commissioners for the better supply of water to that town. This water was to be taken from the streams which supplied the inhabitants of Carrickfergus, which town he represented, with water for agriculture, manufacturing, and domestic purposes. The Bill was opposed by the inhabitants of Carrickfergus, and in order to raise the money necessary for the opposition to this a rate was levied on the inhabitants and a considerable expenditure was incurred. The Bill was withdrawn. But the outlay incurred led to no good; for again this Session the people of Belfast sought by Private Bill legislation to deprive Carrickfergus of its supply of water, and a similar expense would be necessary to oppose it again. This was only one instance of what was daily occurring during the Session, and was referred to to show that great hardship and injustice could be inflicted by promoters by introducing Bills of other kinds than Railway Bills. As the Bill under consideration related to costs of Private Bills, he hoped it would not be out of place to express surprise that those Members who had to deal with the subject did not take the further reduction of costs in Private Bill legislation into consideration. He held in his hand a printed list of charges in Private Bill matters under the Act of 1847, and to show how easy it would be to reduce expenditure on this account he would refer, among others, to the charge for petitions of opponents. One petition was allowed for an agent, one for a solicitor, and three for counsel. Taking these five copies at 6*d.* per folio, the authorized charge for the five copies of a tolerably long petition would be about £4 16*s.* But if a petition of the same number of words were printed, twenty-five copies could be furnished for about a guinea. Printing is most advantageously used in the Court of Chancery, and has greatly reduced expense. Affidavits and briefs and other documents in that Court are now printed. He trusted that those who had the authority to do so in this House would more fully introduce printing in Private Bill legislation. By so doing a very great saving would accrue to parties who are too often unwillingly dragged before Parliamentary Committees, and put to enormous expense.

MR. ROEBUCK said, the Bill was a very admirable and curious specimen of British legislation. Under its provisions costs might be given at the discretion of Committees in the case of Railway Bills and none others. But if that power were given to Committees on railways, why not give it to Committees sitting upon all Private Bills? If they granted the power in the case of railways, they could not deny that it was right to give it to a Committee inquiring with reference to Water Bills. He suggested this consideration to the Home Secretary, in order that they might not be laughed at out of doors on account of their peddling and inconsistent legislation. When the Bill came into Committee he would press upon his hon. Friend (Mr. Scourfield) the substitution of the words "every Private Bill" for the words "every Railway Bill."

MR. RICHARD HODGSON said, he also was of opinion that the measure should be extended to all Private Bills; but he thought, at the same time, that the measure was too comprehensive, and that some limitation should be put on the power which it was proposed to give to Committees in that case. He could scarcely imagine that the promoters of a Bill would enter on an undertaking which was absolutely unfounded and vexatious; but if they should press a Bill which had been rejected in a preceding Session he would give the Committee, if they should be unanimous, the power of awarding costs. In the case of the opposition to a Bill he would invest the Committee with a similar power, if the opposition should be renewed in one House after it had been unsuccessfully prosecuted in the other.

MR. MILNER GIBSON said, he did not think that question of costs had been carefully considered by any of the Committees. The Committee of 1863 had taken some evidence upon the subject; but on that evidence they had not thought fit to recommend any legislation, and they were, on the whole, adverse to the adoption of such a step. He did not think that any analogy could be drawn between the cases tried before the common law courts and those which were brought before Railway Committees. If a man failed in a common law court he must, in all probability, have been prosecuting an illegal claim. Besides, everybody knew or was presumed to know the laws of the land. That was a state of things which could hardly be said to prevail in the case of the promoters or the opposers of a Private Bill. Many of the projects for which the sanction of Parliament was demanded must at first have appeared more or less extravagant or illusory; but, as they became better known, and as the public requirements increased, they ultimately met with universal approval. The very earliest of all the great Railway Bills, the Liverpool and Manchester, was at first thrown out, and was only passed on a second application to Parliament. The London and Birmingham, and the Great Northern were also at first unsuccessful, and the Grand Junction from Birmingham to Liverpool and Manchester had to be brought several times before Parliament. In all these cases it would be manifestly unadvisable that these promoters should only have been able to make their second application for a Bill with the fear of costs before their eyes. It was also proposed by the measure that the opponent of a Bill should be subjected to the payment of costs if his opposition should be thought unfounded and vexatious; but he did not see why a landowner, for instance, should be liable to have costs thrown upon him if he unsuccessfully opposed a scheme which would interfere with his property. He thought the hon. Gentleman the Member for Carmarthenshire (Mr. Pugh) had said some very reasonable things on the subject. He said we must take care not to throw unnecessary obstacles in the way of the progress and extension of railways in districts where they do not now exist, or to prevent the undertaking of works which were for the public benefit. Those Bills to which he (Mr. Milner Gibson) had referred, which had been thrown out at first, but which were carried by perseverance, had conferred great and unquestionable public advantages. After the expression of feeling on the part of the House, he did not think it would become him to oppose the second reading of the Bill; but, if the hon. Gentleman saw no objection, he would propose that, after the second reading, the Bill be referred to a Select Committee.

MR. ARTHUR MILLS was of opinion that any words which it was deemed desirable to insert in the Bill might be adopted in Committee. The principal reason which, to his mind, showed the necessity of the Bill was that we were in a position in which Private Bills' Committees must either be strengthened or abandoned altogether. He thought they needed to be strengthened, and therefore he proposed that the power of giving costs should be vested in the Committees. He wished to avoid unnecessary delay, and the needless expenditure of the time of Parliament, and the money of capitalists. At present, a Committee was powerless to stop expenditure. If a Chairman expostulated with counsel on going into unnecessary detail, the reply was, that he was the best judge of his own case. If the promoters and opponents of a Bill knew that summary power was vested in the Committee to award costs, it would prevent many of the evils complained of, and great strength would be added to the Committee. He should give his cordial support to the Bill.

MR. LOWE said, he was very sorry that his right hon. Friend the President of the Board of Trade should have thought it necessary to throw his personal and official weight into the scale against the Bill, for his speech was one against the Bill, although, in deference to the general opinion of the House, he had concluded his remarks by recommending that it should be sent to a Select Committee. It had been found by experience in all countries that it was expedient, in order to protect the time of courts and also the time and money of those who were obliged to vindicate their rights against others, to visit the unsuccessful party, under certain limitations, with the cost of the proceedings. His right hon. Friend, however, drew a distinction between what he called questions of law and matters of expediency, and seemed to think that it was quite proper that the unsuccessful litigant in our law courts should be visited with costs, because everybody knew the law, while it would be quite wrong to impose costs when the point at issue was one of expediency, for of that nobody ought to be presumed to be a judge. Now, he entirely differed from the view taken by his right hon. Friend in that respect. A man was very often in entire ignorance of the law in many cases in which he had to pay costs, whereas Providence had given us all more or less the capability of arriving at some right notion upon questions of public expediency. There was, moreover, another fallacy in the argument of the right hon. Gentleman, for he had spoken of courts of law as if they decided nothing but questions of law; whereas it was the application of the law to a new state of facts which very frequently constituted their great difficulty in arriving at a sound conclusion. Indeed, in nine cases out of ten the real controversy in our courts was as to matters of fact rather than of law, and he could not, therefore, understand the distinction which was sought to be drawn between proceedings taken before them, and those instituted before Parliamentary Committees. His right hon. Friend, he might add, had argued as if the Bill were entirely one-sided, and as if the costs under its operation would always fall upon the companies by which schemes were promoted; but it should be borne in mind that if the prospect of having to pay costs was calculated to defer individuals in some cases from offering a vexatious opposition to a Bill, a similar prospect might also prevent powerful companies from improperly prosecuting private persons. Was it putting an imaginary case to ask if an individual did not often give up rights which he had successfully defended before a Parliamentary Committee rather than undergo the constant drain on his resources consequent upon being called upon to maintain them year after year? If the present Bill were passed, it would place the individual more on a level with a company, and thus substantial justice would, so far as lay in the power of the House, be done between the parties. The question at issue was one, he thought, which could be very well disposed of by a Committee of the Whole House, and he, therefore, hoped the Bill would not be referred to a Select Committee, to be again debated when it came back, but that his right hon. Friend would deem it to be his duty, as a great progressive Reformer, not to throw difficulties in the way of a measure the object of which was to do equal justice between all Her Majesty's subjects, to save the time of tribunals which were already overburdened, and to prevent persons being unjustly exposed to great expense as the result of vexatious proceedings.

LORD HOTHAM said, that as he was a Member of the Committee appointed to consider this subject, he was prepared to avow his readiness to take his share of the responsibility of its recommendations. He had waited with anxiety to hear the opinion of the President of the Board of Trade, but he was astonished to hear several things which the right hon. Gentleman had uttered. It was impossible that any one who had ever sat upon one of these Committees, or who had attended as a spectator of their proceedings, could have failed to see the vices of the present system. The right hon. Gentleman (Mr. Milner Gibson) said that the same measure was often brought forward three or four times in succession, and eventually succeeded; and he quoted that as showing that the present Bill was founded on a wrong principle. The right hon. Gentleman also referred to the formation of the Manchester and Liverpool Railway, and other railways in that district, and to the Committees before which their merits were canvassed; but that was going very far back—to a time, indeed, when some Members of the present House were not born. The right hon. Gentleman seemed to have forgotten that at the time to which he referred, Committees were very differently constituted. At that time, the Member bringing in the Bill named the Committee. Any other Member could then move that "all who come shall have voices," which opened the Committee to the Whole House; and he (Lord Hotham) remembered that when the vote on the Preamble of one of the Bills to which the right hon. Gentleman referred was taken, between fifty and sixty Members voted on each side. That was a time when railways were in their infancy, and when no one knew anything about them; and therefore he thought that if the right hon. Gentleman could offer no better arguments than such as were based upon what was done thirty years ago, there did not seem to be much ground for objecting to this Bill. The right hon. Gentleman had also spoken of the elasticity of the present system, in allowing a Bill to be brought forward three or four consecutive times. Now, he would give the House an instance of how that elasticity was used. He had been informed by a gentleman that he had had for two or three years following to come before a Committee to defend his property from the assaults of a certain railway company. After the Bill was once more rejected he was met in the lobby by one of the promoters of the Bill, who asked him what was the use of his opposing the Bill, and how long he thought he could stand against the seven millions of the company. That was an example of the elasticity of that system which the right hon. Gentleman thought justified parties in coming year after year before Parliament in prosecuting their schemes. The right hon. Gentleman also objected to giving power to a Committee to deal with questions of law. But what more important questions of law could be dealt with than those which came before Election Committees? Power was given to those Committees to vote that the opposition to the petition, or that the petition itself was frivolous and vexatious, and that not merely by an unanimous decision of the Committee such as the Bill contemplated, but by a mere majority of voices. The hon. Member who had charge of this Bill did not ask for so much as that, but that the decision of the Committee should be unanimous; so that he (Lord Hotham) thought that the objection of the right hon. Gentleman with regard to legal questions was sufficiently disposed of. The Bill had been brought forward to remedy a geneally admitted grievance, and he thought that, with the guarded provision contained in the Bill—namely, the unanimity of the Committee to throw costs on either party, the House ought not to throw any objection in the way of its passing. The professional knowledge of the hon. and learned Gentleman the Member for Tiverton had enabled him to suggest an alteration in the wording of the Bill, which he (Lord Hotham) felt sure his hon. Friend having charge of the measure would gladly adopt, seeing that it only tended to carry out the object with which it had been introduced. The hon. and learned Gentleman the Member for Sheffield suggested that the provisions of the measure should be applicable not only to Railway Bills but to all Private Bills. He (Lord Hotham), as at present advised, saw no reason why that should not be done; but that was a question for the Committee, and not for the House on the second reading of the Bill. He hoped the House would read the Bill a second time, and when in Committee it would be competent for any hon. Member to move Amendments with reference to its details. The proposition as at present framed seemed exceedingly fair and reasonable; he, therefore, saw no need for any reference to a Select Committee, as had been proposed, and which would look rather like an excuse for shelving the Bill. At the same time, if the feeling of the House were in favour of such a reference he should not oppose any suggestion made with the object of securing for the subject the fullest consideration.

MR. HADFIELD said, he did not object to the principle of the Bill, but thought its clauses required grave consideration. Proprietors of land ran sufficient risks already, without having the liability to pay costs superadded.

SIR GEORGE GREY said, the Question before the House was whether the Bill should be read a second time, and to that there did not seem to be any opposition. The House would then have to consider whether the Bill should be sent to a Select Committee, and the hon. Member who had charge of the Bill would, after the second reading was passed, have an opportunity of stating whether he consented to that course or not. It was impossible to deny that there might be cases, other than those of Railway Bills, where Committees might usefully award costs; then, as the hon. and learned Member for Sheffield had said, why limit that power to Railway Bills? Now, that was a question that might be better considered in a Select Committee than in a Committee of the Whole House. There were other questions also to be considered, and he was struck with the observation of the hon. Gentleman the Member for Taunton that there were cases where the original promotion of or opposition to a Bill might be perfectly *bonâ fide*, but where the proceedings might be unnecessarily prolonged by the examination of witness after witness. In such cases if the power of giving costs were sanctioned, it ought to be a power the exercise of which was proportioned to the conduct of the parties; whereas, according to the present proposal, the Committee were either to give the entire costs or none at all. Questions such as these might be advantageously considered by a Select Committee, which was not suggested in order to shelve the Bill. It would not be necessary for the Committee to take any evidence, and their Report, therefore, might be agreed upon in a very few days. The noble Lord opposite (Lord Hotham) had referred to Election Committees; but the cases were very rare indeed, probably not more than one in 100 or 200, where Election Committees decided that a petition was frivolous or vexatious, and that costs ought consequently to be given. It deserved consideration whether Committees, under the proposed system, ought to be pledged to any form of words specified in an Act of Parliament, or whether, if upon due consideration of the facts, they arrived at a conclusion that the whole or a portion of the costs should be borne by the promoters or opponents, they should make a Special Report to the House of the grounds for their decision. These and other points, he believed, could best be considered in Committee, as his right hon. Friend (Mr. Milner Gibson) had suggested.

Motion *agreed to;* Bill read 2°.

Moved, That the Bill be committed to a Select Committee.—(*Mr. Milner Gibson.*)

MR. SCOURFIELD said, he wished to be guided in this matter by the feeling of the House. As to the proposed enlargement of the powers of the Committee, he could only say that he for one had no objection to it; but in framing his Bill he had been guided by a desire only to ask for that which would be likely to receive the assent of the House, and, moreover, by the feeling that as the Order of Reference to the Select Committee was confined to Railway Bills, he might seem to have travelled out of the record had he suggested any wider power of awarding costs. He did not think the measure could be charged with anything like a tendency to check railway enterprise; but railway and all other enterprises ought to be conducted in accordance with principles of justice. He trusted the Select Committee to whom the Bill was to be referred would not take evidence, because in that event the passing of the Bill must be indefinitely postponed. And in any case, as the House would reserve to itself the privilege of debating the Bill anew when it returned from the Select Committee, all that could be gained by the reference was a slight addition of authority. He thanked his hon. and learned Friend (Mr. Roebuck) for the suggestion which he had made, assured him it should have his best consideration, and returned his acknowledgments to the House for the favourable consideration which they had so far extended to the measure.

Motion *agreed to.*

Bill *committed* to a Select Committee.

And on February 24, Select Committee *nominated* as follows:—

MR. SCOURFIELD, MR. MILNER GIBSON, Lord HOTHAM, Colonel WILSON PATTEN, MR. LOWE, MR. ROEBUCK, MR. DENMAN, MR. PUGH, MR. CAIRD, and MR. ARTHUR MILLS:—Five to be the quorum.

FELONY AND MISDEMEANOR EVIDENCE AND PRACTICE BILL—[BILL 21.]

SECOND READING.

MR. DENMAN, in moving the second reading of the Bill, said, that it consisted of two parts, and that the object of the first part, contained in clause 2, was the same as that of the Bill which he introduced on the subject in 1860. That Bill passed through that House, and had received general approval, having been supported by the present Lord Chancellor, then one of the Law Officers in this House, and by Lords Brougham, Campbell, and Chelmsford in the House of Lords; but had been dropped on its return to that House, in consequence of an alteration which had been introduced in its progress through the other House, which seemed inconsistent with its spirit. That was a proviso that it should be discretionary with the judge in each particular case whether to allow or disallow the right to sum up the evidence. The object of this part of the Bill was to assimilate the practice in criminal cases to that which prevailed in civil cases; and to allow counsel, whether for the prosecution or the defence, to sum up the evidence. Another provision of the Bill had reference to the discrediting of witnesses by the party producing them. The clause would not allow a party to discredit his own witness by general evidence of bad character; but enable him, under certain circumstances, to offer evidence to prove that he has made at other times a statement inconsistent with his present testimony. Proof might also be given of contradictory statements of adverse witnesses under the same circumstances which render such statements admissible in civil cases. There was also a provision as to cross-examination with reference to a previous statement made in writing or reduced to writing, without requiring such writing in the first instance to be shown to him. He saw no reason why a difference should exist between civil and criminal cases in that respect. The next provision of the Bill was one making a certificate of a conviction for felony or misdemeanor, evidence of the fact that a witness had been so convicted, without requiring the formal and expensive proof now required in criminal cases. He proposed that it should no longer be necessary to call the attesting witnesses to prove the validity of any instrument to the validity of which attestation is not requisite. He saw no reason why the criminal law should not be assimilated to the law in civil proceedings in this respect. He also proposed to permit a disputed writing to be compared by a witness or by the jury with any writing proved to the satisfaction of the judge to be genuine. In cases of forgery it was of the utmost importance not only that the opinions of experts should be had as to the character of the writing, but that witnesses and the jury should be allowed to see and compare the documents. He once happened to be arbitrator in a case in which he had to decide whether a certain handwriting was or was not a forgery. It was said to be the handwriting of a deceased bishop. It related to the receipt of a sum of £2,000 said to have been handed to him in his lifetime. To test the genuineness of the alleged receipt, twenty-two letters written by the bishop were put into his hand, and experts gave an opinion that the handwriting was genuine. But these letters had been in the possession of the party who got up the receipt, and he had an opportunity of copying them. On the other side, 111 genuine letters were put in, and the result of a careful comparison was to satisfy him beyond all possibility of doubt, that the disputed document was not genuine. The very exactness of the resemblance of each word in the disputed document to the same word in some one or other of the twenty-two genuine documents which had been in the defendant's possession, and the total absence of that sort of resemblance in the 111 to which he had had no access, was next to conclusive. Yet, had a prosecution for forgery been instituted, as the law now stood, no such comparison could have been made. In a case tried before Baron Channell at the last Winter Assizes, though evidence of a precisely similar character would have been in the last degree important in determining whether particular checks were or were not forgeries, the learned Judge was obliged to direct that such light as this kind of evidence might throw upon the case could not be received. He had not been aware when framing the Bill, that these very clauses were at the present moment law in Ireland. The hon. and learned Member for Clare (Sir Colman O'Loghlen) had drawn his attention to the 19 & 20 *Vict.* c. 102, s. 25-30, which contained these identical provisions, and the Report of the English and Irish Law and Chancery Commission of 1863 actually recommended that in these very respects the law of England should be assimilated to that of the sister country. The only hesitation which he felt in bringing forward the Bill in its present shape was, that the proposition as to summing up the evidence was virtually embodied in the measure brought forward by the hon. and learned Member for East Suffolk. On carefully reading over both the Bills, however, he had arrived at the conclusion that it was better to leave that clause in the present Bill, inasmuch as he observed that his hon. and learned Friend had varied the language considerably; and with a view to the success of the measure he thought it better to adhere to the very words in which this House and the House of Lords, with the exception of the proviso before alluded to, had passed the same measure in 1860. As to the rest of the Bill it had nothing in common with that of his hon. and learned Friend. The hon. and learned Member explained that the wording of the clauses made them only applicable to cases of felony and misdemeanor, but that he thought it convenient to adopt the provision of 19 & 20 *Vict.* c. 102, s. 98, which extended the evidence clauses of this Bill to all courts and all cases, and he would so alter the wording in Committee as to carry out that view. He concluded by moving the second reading of the Bill.

Moved, That the Bill be now read 2°.—(*Mr. Denman.*)

Mr. ROEBUCK said, this Bill afforded an admirable specimen of English legislation. A rule had been established in civil cases which his hon. and learned Friend desired to extend to criminal cases; but instead of saying, in so many words, that all the rules of evidence now applicable in civil cases should in future be applicable to criminal cases, he felt it necessary to repeat every one of the clauses, thereby incumbering the statute-book with an unnecessary mass of verbiage. He appealed to the right hon. Gentleman the Secretary of State, whether the plan he had suggested was not the shortest, the most effective, and certainly the most scientific way of effecting the alteration.

Sir GEORGE GREY said, that his hon. and learned Friend the Attorney General, if present, would have given his assent to the second reading of the Bill, and on the part of the Government he (Sir George Grey) now gave that assent. He thought it would prove a very useful measure. With the exception of one clause, which was different in its wording, he thought the suggestion of the hon. and learned Member for Sheffield (Mr. Roebuck) might be acted upon by simply declaring that the enumerated sections of the Common Law Procedure Act should apply to criminal cases as well.

Mr. LOWE said, it struck him that the suggestion, though very plausible, could not safely be acted upon. One of the results would be that, as in civil suits, all admissions given by the prisoner under any circumstances would be admissible against him.

Motion *agreed to ;* Bill read 2°.

On Question, "That this Bill be committed,"

Mr. DENMAN said, that the suggestion that had been thrown out by the hon. and learned Member for Sheffield had occurred to himself, but he had refrained from taking that course, fearing he should be met with the objection that it was a highly inconvenient mode of legislation to pass an Act of Parliament referring to another Act. In a court, or elsewhere, the other Act might be sent for, when it might be found not to contain what was wanted, and become necessary to refer back to another Act. The most convenient plan was to put down in black and white the alteration that it was intended to make, copying, if desirable, the clauses from the existing Acts.

Motion *agreed to;* Bill *committed* for *Friday.*

AFFIRMATIONS (SCOTLAND) BILL.

On Motion of Mr. Edward Craufurd, Bill to allow Affirmations or Declarations to be made instead of Oaths in all Civil and Criminal Proceedings in Scotland, *ordered* to be brought in by Mr. Edward Craufurd and Mr. Dunlop.

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Thursday, February 23, 1865.

MINUTES.]—Public Bills—*First Reading—* Dublin International Exhibition* (1865) (13); Game Licences (Ireland)* (14).

DISTRESS IN THE COTTON MANUFACTURING DISTRICTS—MR. FARNALL.

OBSERVATIONS.

Earl FORTESCUE said, that when, at the commencement of the cotton famine in Lancashire, he heard of the appointment of Mr. Farnall to the office of Special Commissioner for the Lancashire and Cheshire Districts, which practically superseded an able and valuable Inspector who for some time past had had charge of the district, he very much regretted it; because, during the two years he had the honour of holding the office of Parliamentary Secretary to the Poor Law Board, the opinion he then formed from experience of the manner in which the Inspectors discharged their duties led him to think that the appointment of Mr. Farnall to the cotton famine districts was by no means a desirable choice, particularly as the officer who had been superseded was a meritorious and valuable one. And his worst apprehensions were confirmed by the speeches made and the tone taken by Mr. Farnall in that district. He, however, was rather consoled by the reflection that the scarcely less important metropolitan district, which for some time had been under Mr. Farnall's charge, would probably be placed under some one else's charge; and he knew from experience that it was necessary to place the metropolitan district under the charge of a man possessing soundness of judgment and kindliness of feeling. But the case which recently occurred in one of the parishes within one of the metropolitan districts—he would not say one of the workhouses—and a number of other cases, showed what constant care and vigilance was required from an Inspector in charge of that important district. He observed the other day that Mr. Farnall had conducted an investigation into the case of Timothy Daly; and within a very short time of that inquiry he observed, from reports in the newspapers of the proceedings of the General Committee in Lancashire, that Mr. Farnall had still very important functions to perform in connection with the distressed districts in Lancashire and

Cheshire. He wished, therefore, to ask the noble Earl the President of the Council, to which of those districts Mr. Farnall was at present attached? or whether he was performing the double function of attending to the important district of the metropolis and dealing with the exceptional circumstances of the cotton districts? If, as he feared, Mr. Farnall was a pluralist, he desired to ask the noble Earl what was the amount of the pay and allowances made to Mr. Farnall for the double duty which he had undertaken to perform?

EARL GRANVILLE said, he should be able to satisfy their Lordships that the noble Earl's anticipations of Mr. Farnall's position were quite inaccurate. Their Lordships would all remember the great alarm which was created by the calamity caused by the failure of employment in the cotton districts. Mr. Farnall was then selected as a person who, from his manner and knowledge and other advantages, was most likely to be useful in assisting the local authorities in Lancashire. He was sent down there, and when the committee was formed the corporation of Liverpool applied to the President of the Poor Law Board to allow Mr. Farnall to be appointed a member of it. His right hon. Friend at first hesitated, but afterwards consented to his appointment; and the noble Earl opposite (the Earl of Derby) would bear him out in saying that Mr. Farnall had discharged his duties there in a most excellent manner. The committee passed a vote of thanks to Her Majesty's Government for the appointment; and some months afterwards Colonel Wilson Patten gave, in the House of Commons, the strongest evidence as to the advantages which Mr. Farnall's services had conferred on the distressed districts. Last year the President of the Poor Law Board proposed to withdraw Mr. Farnall; and again, he might appeal to the noble Earl opposite whether he did not give his decided opinion that it was undesirable to withdraw him at that time. Before that, too, there had been a question of withdrawing him, and Lord Edward Howard, who had taken a great part in the relief of the distress, strongly urged that no such withdrawal should take place. It was, however, absolutely settled that Mr. Farnall should be recalled in September last, when the distress suddenly increased, and it was deemed advisable to continue his services for a time. Latterly he had only been down into the district once a month, and at Lady Day he was to be definitively withdrawn. The President of the Poor Law Board had authorized him to state that he never knew a man better fitted for the duty, or more anxious to undertake any amount of work. During the last two years he had gone through an enormous amount of work, and, through the assistance which had been given him by his colleagues, no part of the metropolitan work had gone into arrear. As to his remuneration, Mr. Farnall had received absolutely nothing for his services in Lancashire, except an allowance for personal expenses calculated on the usual Treasury scale of £1 per day.

THE EARL OF DERBY said, having been appealed to by the noble Earl opposite, he had not the slightest hesitation in stating that the services of Mr. Farnall in Lancashire had been of the most valuable character during the whole period of the distress. The assistance of the Poor Law Board had been most useful to the various local committees, for the accounts kept by both parties had been a mutual check upon each other, and it had materially assisted in administering the relief in the satisfactory manner it had been. He regretted to hear that it had been definitively settled that Mr. Farnall's services were to cease at Lady Day next. He hoped with the commencement of the summer the labours of the executive committee, if not terminated, would be suspended probably in the early part of May. It was, therefore, a matter of considerable regret to find that the public services of Mr. Farnall in Lancashire would cease six weeks before that time, and the executive committee lose the benefit of Mr. Farnall's assistance for that time. The suspension of the committee's labours would be of the character of an experiment, and they would regret during the next six weeks to lose the benefit of Mr. Farnall's services. It was, he thought, desirable, as there was a prospect of the executive committee coming to the end of its labours at the beginning or middle of May, that Mr. Farnall's services should be continued to the close. He suggested that the President of the Poor Law Board should be asked to continue Mr. Farnall's services until the executive committee had terminated their labours.

EARL GRANVILLE said, the suggestion of the noble Earl would no doubt be taken into consideration by the President of the Poor Law Board.

NORTH WEST TERRITORY—BRITISH NORTH AMERICA.

QUESTION.

LORD WHARNCLIFFE, in asking Her Majesty's Government, What is the Position of the Question of the Establishment of a Crown Colony in the North West Territory of British North America, and when some Report thereon will be made to the House, said, that before he put the Question to the noble Earl he would address a few remarks on the growing importance of the subject. Some fifteen years ago he travelled through the country, and might claim therefore to have some personal acquaintance with the subject he was about to bring under their Lordships' notice. The question of the future position of this large tract of country, lying between Upper Canada and the Rocky Mountains, was one of great importance at this moment, for many reasons. Our other North American colonies had recently taken steps for erecting themselves into a great Confederation, and we must therefore assume that the tie between those colonies and the mother country would no longer be so close as it had been. Another reason why it appeared to him sensible that the Question should not be passed over, was the probability of a dispute arising between this country and the Western States on a question of frontier and population, and it was desirable that everything should be done by Her Majesty's Government which should tend to prevent such a collision. The territory was of such a character as to be likely to become a most important colony. Captain Pallisir had been sent out by the Government to report upon the country which lies between the western boundary of Canada and the Rocky Mountains, and in his Report spoke thus of the Red River Settlement—

> "The soil is that of an ancient lake bottom, consisting of variously proportioned mixtures of clay, loam, and marl, with a remarkable deficiency of sand. It is overlaid by a great thickness of vegetable mould, varying from two to four or five feet in depth. The chief wealth of the agriculturist would be derived from the rearing of cattle, large quantities of very nutritious grasses abounding everywhere, together with hemp, flax, and hops, which grow admirably."

Of the lower part of the valley of the Assineboine he said—

> "The lower part of the valley of the Assineboine, for seventy miles, before it joins Red River, affords land of surpassing richness and fertility to the extent of several hundred thousand acres."

And of the valley of the Saskatchewan he said—

> "There are often to be found areas of land of fine quality, while the whole distance, sometimes equal to thirty miles between the hills and the river, is fine grazing land, and as it all lies within the limit of the partially wooded belt of country, there are 'bluffs' that will afford shelter to stock. The richness of the natural pasture in many places on the prairies of the second level along the North Saskatchewan and its tributary, Battle River, can hardly be exaggerated. Its value does not consist in its being rank or in great quantity, but from its fine quality, comprising nutritious species of grasses and carices, along with natural vetches in great variety, which remain throughout the winter sound, juicy, and fit for the nourishment of stock."

It was but two years ago that the Hudson's Bay Company had transferred their rights to another Company for a very considerable sum of money, he believed £1,500,000. The administration of the old Hudson's Bay Company, no doubt, had been a great obstacle to the colonization of this tract of country, on account of their trading entirely in furs. In regard to that large tract of country two methods only could possibly be pursued, and one would be right and the other wrong, and he would first refer to that which he believed would be the wrong one—namely, a proposal to unite that enormous territory with Canada; but the right course to follow would be to erect that large tract of country into a separate colony, with a jurisdiction of its own. As regarded its union with Canada, it must be remembered that Montreal was at least one thousand miles from the frontier of that territory, and, therefore, there would be the greatest difficulty in maintaining a good system of government at so great a distance from the Executive officers. There was another point which was also one of considerable importance—namely, the recent proposed federation between the different North American colonies—a federation framed upon the basis of allowing due representation to be given to the various elements composing the Confederation. He believed that that basis was that a certain number of representatives should be given to Lower Canada, in such a manner that at no time should there be any preponderance on the part of the Protestant and more active communities of Upper Canada, to the disadvantage of Lower Canada. In connection with that point he would quote the remark of a gentleman who was well acquainted with that country and with the feelings of its inhabitants, in reference to the erection of this large tract of country into a colony in connection with Canada. That gentleman said—

> "Such a measure would of course enable Upper Canada to rule over and destroy the individualization of Lower Canada. Therefore it was that all French-speaking Canadians, and a large number of the most loyal people in both sections of the province, opposed a change leading inevitably to universal suffrage and the extinction of the political influence of an educated minority. Now, if the Hudson's Bay territory were added to Upper Canada, that portion of the province would overbear the remainder, and all the old contests of race and language would be revived, even, perhaps, to the end of civil war."

Such was the statement of Mr. Watkin, who from his connection with the Grand Trunk Railway of Canada, and several years' residence in the country, was well qualified to speak upon the subject. Looking to both of these points, the distance from Montreal, and the disturbance it would create in the balance of the constitution of British North America, he (Lord Wharncliffe) could not but regard a proposal to make the territory a colony dependent upon Canada an unwise one. His decided opinion, therefore, was that this large tract of country, capable of vast improvement, should be erected into a separate colony. One of the most important points connected with that plan was to be found in the fact that it was across that tract of country that a telegraph line could be most conveniently run from Lake Superior to the Pacific. The facility and the profitable nature of such an enterprise could be imagined from the fact that the line from St. Louis to San Francisco cost only £26 per mile, and the whole cost of construction was repaid in one year. The distance from British Columbia to Lake Superior was not so great as in the instance he had given, and if telegraphic communication were established, it would be of the greatest advantage to this country, and would also prove a source of considerable profit to those by whom it was carried out. At the present time the Russian Government had organized telegraphic communication from the River Amoor to St. Petersburg, and were preparing to cross Behring's Straits, having asked permission to run the line through British Columbia, whence they proposed carrying it to San Francisco. It was quite evident that the line he had suggested from Lake Superior to the Pacific would be a much more practicable one, and would have the advantage of being under the control of the British Government. As he had already stated, it was most desirable to avoid all chance of collision or complication with the American Government. At present it appeared that there was a large number of refugees from the Northern States, who had crossed the frontier, some being desirous of avoiding taxation, others seeking to evade conscription, and another class of persons who were attracted by the discoveries of gold upon the eastern slopes of the Rocky Mountains. He had had sent to him a pamphlet written by Mr. Watkin, which contained the report of Mr. Bridges of those gold discoveries. That report stated—

> "There is no doubt whatever of this gold having been washed from the sand in the Saskatchewan, and there appears to be no doubt whatever, that in the rivers which take their rise in the mountains, gold will be found, and that the whole slope of the Rocky Mountains, on both sides, will be found to be productive gold mines. It appears, among parties interested, to be the settled opinion that gold exists; and M'Kay told me that, until this year, for several years there had been parties, numbering upwards of 100 each spring, who have come to Fort Garry, and getting guides there, have gone across the country to the Rocky Mountains in search of gold. There were none this year owing to the Indian war in Minnesota. Governor Dallas says that last year upwards of 300 persons went across. The settlement round Fort Garry is said to be increasing, by an influx of Canadians, Englishmen, Scotchmen, and Americans. It is expected that a good many of the settlers will proceed from Fort Garry next year to the Rocky Mountains in search of gold."

The Question which he had brought before the House was one of great importance, involving, as it did, not only the well-being of this country in case of any collision, but also the retention to the British Crown of one of the greatest inheritances of which Her Majesty was in possession. To carry out such a plan as he suggested, there might be some expense to maintain a separate jurisdiction; but if we sent out a Governor, and gave him a sufficient number of officials conversant with the country, who would keep him informed of all that was going on in the country, and also give him a sufficient number of properly educated military men, non-commissioned officers, for the purpose of training the half-breeds who inhabit that country, and who were warmly attached to the British Crown, no other defence could be required there. He hoped their Lordships would excuse him for trespassing upon their notice at such length, but the subject was of great importance, and he desired to ask of Her Majesty's Government, What is the Position of the Question of the Establishment of a Crown Colony in the North West Territory of British North America; and when some Report thereon will be made to the House?

EARL GRANVILLE: I can assure the noble Lord that he need not apologize for having introduced this subject, or for the statement which he has made. The noble Lord, from his travels in the country to which he refers, and the interest he has taken in it, has made himself completely master of the subject. I am afraid, however, that my answer will not be in all respects satisfactory to the noble Lord. There is no doubt whatever of the truth of the noble Lord's statement as to the importance of some arrangement being made in respect to these territories. After the Committee of the House of Commons, which sat in 1857, there was a correspondence with Canada on that subject. In 1863, the Hudson's Bay Company themselves submitted to the Government the importance of establishing a settled boundary between their territory and Canada, and they made a proposal for that end. The proposal, however, involved an enormous charge upon the Treasury at home, and, therefore, it was not a proposal which Her Majesty's Government thought themselves justified in submitting to Parliament. Her Majesty's Government afterwards made a counter proposal, by which an indemnity to the Company should be obtained, not by imposing any positive charge upon the Treasury, but by the sale of lands in the territory ceded. That plan, however, was declined by the Hudson's Bay Company. While these negotiations were pending, application was made to the Canadian Government to join in the arrangement, but they did not choose to do so. More recently, the Hudson's Bay Company has made another proposal to the Colonial Office, and that proposal the Secretary of State has sent to Canada, urging upon the Government there to take part in settling the boundary between their own territories and those of the Hudson's Bay Company, and suggesting to the Canadian Government to make some proposal of their own. No answer has yet been received to this communication, but, I think, notwithstanding what the noble Lord has said, that in the present state of the negotiations for a confederation of the different colonies of North America, it would be impossible for Her Majesty's Government to advise the establishment of a purely separate jurisdiction by the erection of the territory referred to by the noble Lord into a Crown colony.

THE EARL OF SHAFTESBURY tendered his thanks to the noble Lord for bringing forward this most interesting and important question, and hoped that Her Majesty's Government would give due attention to his statements. He sincerely hoped that the younger Members of their Lordships' House would follow the example of the noble Lord, who had introduced this subject to their Lordships' in so able a manner, and more frequently take part in their discussions. If they did so, they would greatly add to the credit and efficiency of that House of Parliament.

THE EARL OF AIRLIE said, that much of the territory referred to by the noble Lord was very fertile, and capable of supporting a large population; but it was not at all surprising that the development of the country should not make any very great progress while it was in the hands of the Company. He would gladly welcome any proposal which would have the effect of drawing a line between Canada and the North Western territory and the territory of the United States, and also that the land should be thrown open as far as possible to settlers, and encouragement given to emigration. Before, however, acceding to the proposed formation of the Crown colony, the Government ought seriously to consider the obligations which they would be undertaking. Such a course would entail not only expense upon this country, but would pledge us to the defence of the colony in case of war; but that defence would be found exceedingly difficult from its isolated position. Before we incurred the responsibility of erecting a colony in that part of the world, we ought to take great care not to subject the honour of the country to engagements which it might be found difficult, if not impossible, to fulfil.

House adjourned at a quarter before Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, February 23, 1865.

MINUTES.]—SELECT COMMITTEES—On Controverted Elections, *nominated*; *List of Committee*; Courts of Justice Concentration (Site) [11]; *appointed*; *List of Members*.

PUBLIC BILLS — *Ordered* — Writs Registration (Scotland).

First Reading—Common Law Courts (Fees)* [39]. Writs Registration (Scotland) [Bill 41].

Second Reading—Courts of Justice Concentration (Site) [11]; Bank Notes Issue [12]; British Kaffraria* [27]; Bankruptcy and Insolvency (Ireland) Act Amendment* [34].

Referred to Select Committee—Courts of Justice Concentration (Site) [11].

Committee — Courts of Justice Building [5]; Bank of Ireland* [14]; Election Petitions Act (1848) Amendment [19].

Report—Courts of Justice Building [5]; Bank of Ireland* [14]; Election Petitions Act (1848) Amendment [19].

Third Reading — Civil Bill Courts Procedure (Ireland) Act (1864) Amendment* [29], and *passed.*

CONTROVERTED ELECTIONS.

Sir FRANCIS BARING *reported* from the General Committee of Elections; That they had selected the following Members to be the Chairman's Panel, and to serve as Chairmen of Election Committees during the present Session:—WILLIAM EDWARD BAXTER, Esq.; JAMES WENTWORTH BULLER, Esq. (Devon, N.); EDWARD C. EGERTON, Esq. (Macclesfield); THOMAS WILLIAM EVANS, Esq. (Derby, S.); JAMES MILNES GASKELL, Esq.; ROBERT LONGFIELD, Esq. Report to lie upon the table.

PICCADILLY AND PARK LANE NEW ROAD BILL—*(by Order.)*

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

SIR JAMES FERGUSSON rose to ask for some explanation from the representatives of the Metropolitan Board of Works and from the Chief Commissioner of Works with respect to this scheme. The evil to be met by this measure was one of so long standing and such great magnitude, and was so generally admitted, that any change proposed ought to be of the most comprehensive and effective description. He contended, therefore, that this Bill ought to be considered in the Whole House on its merits and ought not to be sent to a Select Committee in the ordinary course, because such a tribunal would be precluded from considering the merits of rival schemes, and confined to the investigation of that which was presented to them by the promoters, the alteration of Hamilton Place and its connection with Park Lane. It was only by implication that other plans could come before it. Now, there were not wanting gentlemen of great experience who said that this scheme was not the best which had been suggested, that it would give very inadequate and unsatisfactory accommodation to the public, and would entail evils that other plans would avoid. Mr. Nelson, who had taken a great interest in the subject had pointed out in a letter that had appeared in a newspaper that morning, that Hamilton Place, the roadway of which was only thirty-three feet broad at the widest part, and was considerably less at the upper part, would be utterly inadequate to accommodate the traffic which now choked up Park Lane, and that there would be considerable danger in having two streams of traffic converging in Park Lane at a short distance from Piccadilly. He said that there were other more natural and convenient channels, and suggested that the object which the Metropolitan Board had in view might be better attained by prolonging South Audley Street to Piccadilly, continuing Clarges Street northwards, and widening Park Lane at the Piccadilly end; and he stated that the expense of this alteration, which would give a wide and convenient thoroughfare, would not be greater than that of the alteration of Hamilton Place. There were two questions which he should like to have answered. Some years ago a Bill was introduced by Lord Llanover, then Chief Commissioner of Works, similar to the present; but it was abandoned in consequence of the Law Officers of the Crown —the present Lord Chancellor and the Lord Chief Justice of England—having given their opinion that its provisions would violate the rights of the Crown tenants. He should like to ask the Chief Commissioner how it was that this measure was better worthy of support than that which was then abandoned. It was true that since that time Parliament had sanctioned an interference with the rights of Crown lessees in the case of the Thames Embankment; but in that instance great concessions of land were in return made to the Crown tenants; and, even if that had not been the case, it could hardly have been argued that because the rights of such persons had been interfered with in one case they were ever afterwards to be entirely disregarded. He should further like to know why the Chief Commissioner of Works had since last year changed his mind upon this subject. In a letter, dated July 2, 1864, and addressed to the Metropolitan Board, the right hon. Gentleman objected to the transformation of Hamilton Place into a thoroughfare, on the ground that it was not wide enough to accommodate the traffic which it was intended to carry through it, and that the alteration would be an expensive and uneconomical measure. He should like to know whether Hamilton Place had grown wider since last year, or why the right hon. Gentleman had changed his mind. The estimate upon which this Bill was formed could not be depended upon. The expense was by the promoters taken at £16,000; but the gentleman whose authority he had already quoted said that the alteration contemplated would not be made for less than £60,000. He believed that the Metropolitan Board of Works had been goaded into doing something, and had taken up this scheme, not from any unanimous or strong belief that it was the best which could be proposed, but rather from a desire to avoid the imputation of doing nothing. If the House refused to encourage a plan which was so crude, unpromising, and inadequate, there was no doubt that the promoters would on some future occasion present one which was more worthy of consideration. In order, therefore, that they might, before assenting to the second reading of the Bill, receive some explanation on the points he had alluded to, he moved that it should be read a second time that day six months.

Amendment proposed, To leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir James Fergusson.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. TITE said, he did not wish to enter into a discussion of estimates, which he admitted were matters of considerable uncertainty; but the hon. Baronet had admitted the necessity which existed for some improvement of Park Lane, and he (Mr. Tite) appealed to the plain sense of the House, whether it was not obvious that the alteration of Hamilton Place with its six houses on one side and two on the other must be a cheaper operation than if they took the line of South Audley Street, and pulled down some of the finest houses in Piccadilly, or whether Hamilton Place would cost as much as Gloucester House. Four plans had been suggested for meeting the evil which the Bill sought to remedy. One was that the Chief Commissioner of works should, with the authority of the Crown, permit carriages to pass through the Park, thus getting rid of the difficulty without cost; but that proposition the right hon. Gentleman had refused, and, he thought, properly refused to permit, inasmuch as that part of the Park was quite as much used by the democracy as by the aristocracy. The second was the extension of South Audley Street into Piccadilly. But if any one looked at the map he would see that the line of South Audley Street not only destroyed Holderness House but equally required the purchase of Gloucester House, and, therefore, such an alteration could not be made at a cost of less than £300,000 or £400,000; besides which the northern entrance to Audley Street was a quarter of a mile from the Marble Arch at which the traffic from the Oxford Road converged with that from the Edgware Road, which was the great access to the Great Western Railway, from which came the great bulk of the traffic that now crowded Park Lane. On these and other grounds, therefore, the Metropolitan Board abandoned the idea of prolonging South Audley Street. There remained then two plans, one for the opening up of Hamilton Place, and the other for widening the south end of Park Lane. It was true that Hamilton Place was narrow at the upper end, but by the purchase and rebuilding of two houses on the right hand it might be widened at no great expense, and there would be a return in the increased value of the land now unbuilt upon; this would carry the street direct into Park Lane by a large and wide avenue. On the other hand, according to the estimates which had been made, the widening of Park Lane would involve a sacrifice of at least £100,000 of public money. It was a very difficult thing to carry out all the improvements which were wanted and which must be undertaken. The main drainage had cost £4,000,000, the Thames Embankment and the new street into the City would involve an expenditure of £2,000,000; there was a new street at the east end which would cost £120,000, and there were other improvements of considerable extent which must be made. It was impossible that all these works could be carried out if the Metropolitan Board were indifferent as to the amount which they expended upon particular works. Bearing in mind the large amount of taxation already borne by the ratepayers of the metropolis for improvements, he put it to the House whether it was desirable to incur such a great further outlay. In Chelsea the rates were *5s.* in the pound upon the rack rent. The Bill contained ample provision, by the incorporation of the Lands Clauses Act, for making compensation to any persons who might be injured, and as the noblemen and gentlemen who lived in Hamilton Place would have a *locus standi* before the Committee, by which tribunal all questions in dispute would be fully investigated, he trusted that the House would reject the Motion of the hon. Baronet, and read the Bill a second time.

GENERAL PEEL said, he did not know under what circumstances the Metropolitan Board had taken upon themselves the expense of this improvement; but everybody would admit the inconvenience and danger of the present state of Park Lane. There were other parties, however, who were to be considered beside the inhabitants of Hamilton Place—and these were the constituents of the Metropolitan Board. If this was to be taken as a precedent for the expenses of all improvements being thrown on that Board, and for this House having the duty forced upon it of judging what the expenses should be, he would advise the ratepayers of London to look sharply after their own interests. He had no great confidence in the Metropolitan Board of Works, but it must be presumed that they had well considered this Bill, and it would be a very strong measure indeed to refuse it a second reading. The hon. Baronet had quoted an authority, who said that the cost of widening Hamilton Place and extending it to Park Lane would be £60,000; but he had seen a statement that the expense of taking down Gloucester House would be £180,000, and that of the prolongation of South Audley Street upwards of £200,000. It would not be right to prevent the Bill going to a Committee, nor was it possible for the House properly to examine the details, the consideration of which was necessary to the formation of a sound judgment upon the questions which it involved.

MR. HARVEY LEWIS said, the fact was that matters in Park Lane had come to a dead lock, and if the character of the traffic were examined it would be seen that the most dangerous portion of it was composed of very heavily-laden waggons, which came and went in the direction of the Great Western Railway. His own opinion was, that a road ought to be carried across Hyde Park to the Serpentine. By this means Park Lane would be relieved more effectually than by any other scheme. He did not intend to offer any opposition to the Bill; but he regretted that the Select Committee would not have an opportunity of examining other plans than that contained in the Bill.

MR. MILLER, as a Member of the Board of Works, said that many suggestions had been made to them on this subject, and they had fully considered the question of compensation. If there were any demand for compensation under the plan proposed, it arose from the fact that when the leases of the houses in Hamilton Place were granted, there was an understanding that the place should remain a *cul de sac*. But since that time the population of the metropolis had been increasing at the rate of 40,000 a year; besides which two railways had been opened in the neighbourhood which were perpetually sending their traffic the one to the other through this locality, and accidents were continually occurring owing to the crowded state of the traffic. The hon. and gallant Baronet (Sir James Fergusson) had called attention to the question whether the improvement should be made in Park Lane itself at an expense of £180,000, or in Hamilton Place at a cost of £15,000, without including compensation. He would not support an interference with private rights without compensation, but there were times when private rights must give way to the public advantage. According to the scheme contained in this Bill only two houses need be taken down.

MR. COWPER, having been so pointedly alluded to by the hon. Baronet opposite (Sir James Fergusson), wished to say a few words in reply. He felt very strongly that the existing state of Park Lane was a disgrace to all those in whose power it lay to provide a remedy. Park Lane was the only direct thoroughfare which lay between the north and south of the district which extended from Church Lane, Kensington on the west, to Berkeley Street on the east. The traffic which passed through it was to a great extent that of two great railways, which was forced through a passage not more than eighteen feet wide, so that two large vans were sufficient to block it up completely; while not more than three ordinary vehicles could occupy a parallel line. His opinion was that the best course to adopt with a view to remedy the inconvenience was to widen Park Lane; but the Metropolitan Board, who seemed to have only lately awakened to a sense of their duty in the matter, were of opinion that the enlarging of the southern end would involve a larger expenditure than they ought to undertake. He himself thought the Board was rather too timid in this matter; but the majority having decided against the adoption of the plan which he had just mentioned, the alternative lay between doing nothing at all and accepting the proposal contained in the Bill under discussion. The Metropolitan Board had asked him whether he could hold out any hope that traffic might be allowed to pass through the Park between Stanhope Gate and Hyde Park Corner; but he said, in reply, that he could not hold out the slightest expectation that such an arrangement could be made. It would, he felt, be considered highly objectionable by the inhabitants of the metropolis generally that heavily laden vehicles should be allowed to go through that part of the Park which was at present not sufficiently large for those by whom it was frequented, and it would, moreover, diminish the enjoyment of those who came there for quiet and recreation. It had then been suggested to him that that portion of the Park might be taken for a roadway which was at present included in Hamilton Gardens, and although, no doubt, considerable injury would be done to those gardens if that proposal were carried into effect, yet as the Metropolitan Board had undertaken this plan for the public convenience, he deemed it right, as far as possible, to meet their views. The traffic through Hamilton Gardens would be admitted to be productive of inconvenience to the inhabitants; but it should, on the other hand, be borne in mind that the Bill must provide compensation for any pecuniary loss they might sustain. Under those circumstances, he had intimated that he would not oppose the introduction or second reading of the Bill. Being of opinion that the different propositions for improving this part of the metropolis ought to be thoroughly discussed, the Government had come to the conclusion that the Bill ought to be referred to a Committee, while they, of course, reserved to themselves the power of reconsidering it after the decision of the Committee was pronounced. He hoped, therefore, the hon. Baronet would not object to allowing the Bill to be sent before a Committee, where its provisions would be thoroughly sifted. The hon. Baronet asked what had occurred in 1856. His predecessor (Sir Benjamin Hall) in office contemplated such a Bill as that before the House, and it was then considered that as the Crown was the landlord of Hamilton Place it was not competent for the Crown to alter the circumstances under which the leases were granted. The tenants, however, had not been able to prove that there was anything which guaranteed to them the present position of Hamilton Place, and now that the proposal had come from those who represented the metropolis, it would not be a proper exercise of the authority of the Crown to prevent Parliament from considering a measure brought forward for the purpose of public improvement.

Mr. BENTINCK said, the real turning point in the case had never yet been touched. Neither his hon. Friend who moved the rejection of the Bill, nor any subsequent speaker had gone to the real question in the case. It turned upon one point. He was not going into the question whether it was wise legislation to seize the property of private individuals. That was not the point. The whole question was, whether the House would or would not, for the convenience of the pockets of the Metropolitan Board of Works, sanction a deliberate invasion of private property. If so—and that it was so there was the admission of the hon. Member for Bath (Mr. Tite)—no man's property would be safe.

Mr. JACKSON remarked, that in 1859 he presided over a Committee in which it was recommended that a measure resembling the Bill now before the House should be introduced; and Sir Benjamin Hall introduced a Bill to carry the project into execution. It was, therefore, not a new measure. It had been before the House for ten years, and it was one that in his opinion ought to be carried out.

Sir JAMES FERGUSSON, after what he had just heard from the First Commissioner of Works, said he would not further oppose the second reading of the Bill.

Amendment, by leave, *withdrawn.*

Main Question, put, and *agreed to.*

Bill read 2°, and *committed.*

GREENWICH UNION—CASES OF MARY MORIARTY, JULIA HANNON, AND OTHERS.—QUESTION.

Mr. MAGUIRE asked the President of the Poor Law Board, Whether his attention has been drawn to the acts of illegality brought home to the paid officers of the Greenwich Union in connection with the cases of Mary Moriarty, Julia Hannon, and others; and, if so, whether any and what official cognizance has been taken by the Poor Law Board of the conduct of the officers concerned; and, whether the circumstances connected with these and similar cases of removal to Ireland do not call for an Amendment of the Law; and, if so, whether the Government are prepared to propose such Amendment without delay?

Mr. C. P. VILLIERS said, the hon. Member had moved for papers relating to these two cases, and they would very shortly be laid on the table of the House, but he was enabled to answer a great portion of the questions at once. The attention of the Poor Law Board had been drawn to this particular case, and he was able to tell the hon. Gentleman, as the cases involved some harshness and inhumanity to some poor persons, that it arose from violation of the law, and not from defect of the law. The House was aware that of late years there had been an earnest wish on the part of the Legislature to mitigate the hardships attending the removal of the Irish poor, and that there had been several Amendments of the law for that purpose. The law a short time since enabled overseers of any parish in England to deport Irish paupers to the shores of Ireland and there deposit them. In 1862 the law was altered, and the overseer was obliged to convey the pauper to the union house nearest the place of destination, and to be liable for the expense of conveying him to that destination. This was not found to answer; and, in 1863, it was enacted that the paupers should be conveyed under the charge of some efficient person, who if he neglected to do so was liable to a penalty of £10, or six months' imprisonment. The particular cases in question arose in consequence of the parochial authorities having neglected to observe the last enactment, and thinking they satisfied the law by removing them to the coast. There was more than one violation of the law, because it was provided that women and children should not be deck passengers in the winter. In this case a woman and child were placed on deck, in December, to be taken to the city of Cork, though their destination was beyond it, and the relieving officer gave the woman an adequate sum to convey her onward. She was conveyed to Cork. When the authorities of Cork saw that her destination was Killarney they sent her back to England and took the proceedings pointed out by the Act. The officer was convicted at the Middlesex Sessions, but was found to be only another pauper, who had been employed by the relieving officer, and it became absurd to think of his paying either £10 or his being imprisoned; but the Assistant Judge who presided did offer the severest reproof possible to all those who had been concerned in the affair, especially the guardians, for having allowed it; warned them against its recurrence, and that he should say, if such a thing occurred again, that they would be utterly unworthy of their position as guardians of the poor. The guardians admitted the justice of the Judge's observation, and passed a resolution shortly afterwards precluding the possibility of its recurrence. He trusted, therefore, that the hon. Member would see that the present law was calculated to protect these poor people when they were removed, and that when it was violated due notice was taken of the offence by the authorities here. The hon. Member asked about another case. With regard to that one, he had not yet received the depositions from Ireland, but he knew that it was one of precisely similar character. The poor woman had been illegally treated, and redress had been given in consequence. Any further particulars with respect to it he should be able to give at a future time when the papers were before the House.

MADRAS IRRIGATION COMPANY.

QUESTION.

Mr. SMOLLETT asked the Secretary for India, What is the present position of the Madras Irrigation Company, and what is the amount expended in irrigation works up to the last account received from India. And, whether any prospect existed of the repayment of the interest guaranteed upon the capital of the Company, or of a participation by Government in the enormous profits which it was said that works undertaken by the State invariably produced in every district of the Madras Presidency?

Sir CHARLES WOOD said, with regard to the position of the Company, they were carrying on their works. The sum which they had raised was about £790,000, and the sum spent about £717,000. He understood that about the month of July next, there would be 10,000 acres under irrigation. Though he had never entertained any extravagant expectations with regard to the matter, he believed there was every prospect that the Government would be repaid the money which they had advanced.

PRISONERS IN NEWGATE.

QUESTION.

Mr. LOCKE asked the Secretary of State for the Home Department, Whether his attention has been directed to the treatment of persons confined in Newgate: Whether it is true that all persons apprehended in the City of London on suspicion of any offence are (regardless of their antecedents) lodged in Newgate Gaol and treated as criminals: Whether such persons have to clean out their own cells, and whether they are deprived of proper sleeping accommodation and a proper knife with which to eat their food: Whether all persons remanded on suspicion are prohibited from seeing their wives and children, except through a double iron grating, and in the presence of a gaoler: Whether persons so treated and ultimately acquitted or discharged have any and what redress: And, whether persons charged with less serious offences are treated the same as persons charged with murder?

Sir GEORGE GREY said, that no complaint had been made to him with respect to the treatment of prisoners in Newgate. Persons committed for trial or upon remand were treated as prisoners, but not as persons convicted of crime. For instance, they were permitted to have their food daily sent to them by their friends; but they were subject to the ordinary prison regulations, had to clean out their cells, and were not allowed any instruments by which damage might be done to themselves or others. He had been informed that they were provided with suitable and proper bedding both for summer and winter, and, though they only saw their friends through the double grating and in presence of one of the officers of the prison, that rule did not apply to interviews with their legal advisers. With regard to the latter part of the Question, he should say if any illegal act were done, the prisoners would be entitled to redress, not otherwise. Persons committed on a charge of murder were placed under special supervision not applicable to other prisoners.

SCOTCH MEDICAL PRACTITIONERS.

QUESTION.

Mr. BLACK asked the Lord Advocate, If the penalty which is incurrable by the Medical Practitioners of Scotland, under the 41st Section of the Act 17 & 18 *Vict.*, c. 80, is repealed by the 14th Section of the Act 23 & 24 *Vict.*, c. 83; and, if not, does he intend to take the necessary steps to procure a repeal of that enactment, and so place the Medical Practitioners in Scotland on a footing of equality with the Medical Practitioners in England and Ireland?

The LORD ADVOCATE: In regard to the first part of the Question, I have to answer my hon. Friend, that the clause he refers to is not repealed, though the stringency of the penalty has been considerably relaxed. In regard to the latter part of the Question, I beg to say that I do not propose to introduce any measure on the subject.

REGENT'S PARK—BRIDGE OVER THE CANAL.—QUESTION.

Mr. HARVEY LEWIS asked the First Commissioner of Works, When the new Bridge leading to the Regent's Park, over the Canal, will be completed and opened to the public?

Mr. COWPER replied, that the bridge was nearly completed, and he hoped it would be opened to the public before the end of next month.

COWES TRINITY PILOTS.

QUESTION.

Mr. CLIFFORD asked the Secretary to the Admiralty, Whether he has received a memorial from certain Cowes Trinity Pilots complaining of improper interference with their avocation by Government Pilots; and whether he will issue orders to prevent the recurrence of such interference?

Lord CLARENCE PAGET presumed the hon. Gentleman alluded to the complaint made by the Cowes Pilots that they had not been allowed to pilot the Turkish squadron. The complaint had been received by the Board of Admiralty, and referred to the authorities at Portsmouth for verification, and it would then be laid before the Trinity House to ascertain what were the regulations.

WATERWORKS AND RESERVOIRS.

QUESTION.

Mr. FERRAND inquired, Whether the Government intended, during the present

Session, to introduce any measure for the protection of life and property from unsecure and dangerous waterworks?

SIR GEORGE GREY replied, that the draft of a Bill had been prepared containing clauses, which, if expedient, might be inserted in all Private Bills relating to the construction of reservoirs. This was a matter rather within the province of the Board of Trade, and he had accordingly referred the matter to his right hon. Friend, and the Bill was at present under his consideration.

COURTS OF JUSTICE BUILDING BILL.
[BILL 5.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Attorney General.*)

SIR HENRY WILLOUGHBY said, he wished to call the attention of the House to the necessity of having some information on which to ground this very important measure. He did not mean to say that the House had not received some such information in the eloquent speeches of the Attorney General, but it appeared to him, with respect to the financial portion of the question, that some statement was required from the Chancellor of the Exchequer, and also that some documents ought to be laid on the table for the purpose of showing that the funds alluded to in the preamble of the Bill were forthcoming. The House should bear in mind that the expenditure would commence by Votes of money to be provided by Parliament, and some future House would have to vote very considerable sums on account of the proposed expenditure. In the year 1862 the Chancellor of the Exchequer made some observations which ought to have great weight with the House. The right hon. Gentleman made a distinction between this sort of application for money and the ordinary applications for money for the army, navy, and miscellaneous Estimates; and he said that the latter Estimates were produced on the responsibility of the Government, but that in questions of this kind the responsibility rested on the House of Commons. With that opinion he entirely agreed, and he therefore invited the House to consider whether they were justified in passing the preamble of this Bill, or in allowing it to go into Committee until there was sufficient evidence on the table to sustain the statements set forth in that preamble. As to the question of concentration, his own opinion was in harmony with that of many gentlemen in the legal profession. The hon. and learned Member for Wallingford (Mr. Malins) was one of the first who declared that the equity courts, except with regard to two of the Vice Chancellors' Courts, fully answered their purpose, and there was no necessity for a change. He was quite ready to admit that the law courts did require some better building, but contended that the more economical course would be to leave the equity courts as they were at present, merely supplying the deficiency to which he had alluded. He would not enter further into that matter, but would limit his observations to the financial part of the question, and submitted that there never was a case in which the House had been so blindly called upon to enter into such a very serious expenditure. It might be contended that the expenditure would be limited to £1,500,000, but he did not believe a word of that, and was of opinion that £2,000,000 would be below the requisite sum. Experience of the past justified this opinion. The money must be provided by the House of Commons, and a future House of Commons might have much to deplore if a false step were now taken. The credit or discredit would belong to the House and to nobody else. There were three sources of revenue mentioned in the preamble of the Bill from which the money required was to be produced. Take the first. Nothing was known of the value of the sites of the buildings to be given up. The hon. Member for Cambridge (Mr. Powell) had moved for certain Returns calculated to throw light on the subject, but they had not yet been presented. Again, nothing was known of the saving to be effected in respect of the rents now paid for public offices and buildings. Therefore, he might say that as to £200,000 of the £1,500,000 proposed to be expended the House had not an item of information. Then, as to the second source; there was £1,000,000 of stock which was said to be available; but it appeared to him that that fund was entirely forestalled, and he called upon the House to look into the matter, and he asked the Government to answer the plain statement which he should make without any ambiguity, and which would be contained in a sentence. The income of the Court of Chancery arising from the Fee Fund, according to the last account which had been published, was £162,054, and the expenditure £161,700, leaving the balance of £354. Now, was it true that the whole of the money was actually forestalled, and that the magnificent balance of £354 was the only disposable amount? But it was said that these charges were merely salaries and compensations; that was only partly true. A large portion of the lunacy expenses had been thrown on the fund, and there were other charges amounting to nearly £40,000 which must be supplied. Now, if they were to lay hold of the principal, the interest of which furnished the income received, he wished to know how there could be any available surplus. Not a single document had been produced relating to the accounts of the Chancery for the year 1864, nor any Return to show whether even that small sum of £354 could be obtained. But there was also this very grave question—whether they had any right to touch the Fee Fund at all. By the 5 & 6 *Vict.*, c. 84, it was provided that all the monies that came from and formed the Fee Fund should be applied for the relief and better security of the suitor. Now, how could they turn round and say they would seize that money, and not apply it to the relief of the suitor, but build law courts for the whole kingdom? He did not see how that difficulty was to be got over. Then there was another important question. Fund "B" was guarantee for the stock "A," but some suspicion appeared to be entertained, for the Bill provided that the Consolidated Fund might be called upon to pay; and if the stock were to fall to-morrow to 80 there would be a deficiency in the stock "A" to the extent of £174,000, so that the guarantee of Fund "B" to the stock "A" was a solid guarantee. The real question was, whether the whole money was already expended, and no ingenious calculator could make out how these obligations could be satisfied, bearing in mind that a very large proportion of the expenditure was not such an expenditure as would vanish as lives dropped. At all events, these funds must come out of some source or other, and it appeared to him that the only real source was the Consolidated Fund, or, in other words, the purse of the country. On the first point the House was without any information. The second source was a very doubtful one, and it was doubtful if there was anything to apply except the £354, which he had before referred to. With respect to the third source of supply, the fees upon law proceedings, that appeared to be a very serious matter, and quite contrary to the legislation of modern days, which had been rather to release suitors from fees than to increase them. He thought the House would agree with him in thinking that there were never three more uncertain sources of revenue than those indicated in the preamble of the Bill. He hoped the House would pause until it received more information, in order that every Member might judge for himself whether or no, as any deficiency of means must be supplied out of the Consolidated Fund, he was giving a wholesome financial vote, and he therefore begged to move an Amendment.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will upon this day month resolve itself into the said Committee," instead thereof.—(*Sir Henry Willoughby.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

THE ATTORNEY GENERAL hoped that the hon. Baronet would not persevere in offering opposition to the progress of this measure, which was the result of as much deliberation as had ever been given to any measure with which he was acquainted. It was discouraging to those who had charge of it that three times over they should be required to make the same explanation to the House. The hon. Baronet complained that sufficient information had not been given with regard to the principal fund mentioned in the preamble, and upon which they proposed to go for one million of the money. Now, if ever there was a subject completely exhausted by inquiry and by the information which had been afforded, it was the history, nature, liabilities, and amount of that fund. The Commission of 1860 investigated the subject, not for the first time, and examined all the dealings of Parliament respecting it; and the existence of that fund, with the maximum amount of the charges to which it was liable, was as certain as the existence of the National Debt. A clear explanation had been given as to the mode in which the fund would be made available. It was true that there was a large amount of annual charge upon the million of stock; but there was another fund of £500,000 more which stood in exactly the same position, and which the Government did not profess to touch for the purpose of this building, but which they did rely upon to answer the charges upon the million. The income arising from the £1,500,000 was, of course, £45,000 a year. Now, the charges upon the fund comprised some £50,000 of terminable compensations—life annuities which were falling in from year to year, and would all, according to reliable calculations, expire in about eighteen years if not redeemed. The Government proposed to reserve this half million in order to meet these charges, either by redeeming them or by paying the amount which from time to time might be required. Mr. Finlaison, the accountant of the Treasury, had made an exact valuation, by which it appeared that to buy up the whole of the £50,000 of compensation annuities would require £437,936.

SIR HENRY WILLOUGHBY asked, whether this document had been laid on the table.

THE ATTORNEY GENERAL said, it had not, but he had stated on a former occasion that he would be prepared to give the exact details of the calculation. Even without such an estimate, however, hon. Members could satisfy themselves, as he had, that the £500,000 would be enough to answer this charge of £50,000, because, reckoning the deficiency of income at £30,000 a year, and assuming the truth of the calculation that these annuities would run out in eighteen years, there would remain a surplus of not less than £150,000. As to the estimate of £200,000 for the value of public sites now occupied by courts of justice and offices, or for which the public paid rent, that estimate was within the mark. These sites were :—1. The courts and offices at Westminster. 2. Offices (rented) for the Common Law Courts. 3. Offices at Doctors' Commons attached to the Court of Probate and Divorce. 4. Offices in Doctors' Commons for Registry of Court of Admiralty. 5. Offices in Southampton Buildings (formerly the Masters' Offices, now used for Patent business and for Registrars). 6. Offices, &c., of the Rolls Court and Examiners, and Petty Bag Office in Rolls estate, &c. 7. Common Law Judges' Chambers. 8. Insolvent Debtors' Court (new Land Registry Office) in Portugal Street. 9. Registries of Deeds by Married Women and of Joint-stock Companies. The enumeration of these sites would satisfy hon. Members that the sum of £200,000 was a moderate one. It was proposed to charge the fees so as to affect the suitors as lightly as possible ; and it was ascertained by the published judicial statistics that an addition of 1*s.* 6*d.* upon each writ issued from the common law courts, and of 6*s.* 8*d.* upon every grant of probate or letter of administration, or a percentage of 3*d.* upon everything above £100, as it might be determined, would be sufficient to pay the whole contribution required from the common law courts and the Court of Probate. This would be an almost imperceptible charge upon the suitors. As far as the Government were aware, the members of every branch of the profession connected with the common law courts and the Probate and Divorce Court desired the passing of this measure, and were satisfied that it should pass upon these terms ; and he hoped, therefore, that the House would not assent to the Motion.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 3 (Advances to be made by the Paymaster General.)

MR. ROLT said, he wished to draw attention to the necessity of providing some access from the Temple to the new courts, without persons being obliged to cross the crowded thoroughfares of Fleet Street and the Strand. He had no doubt it was the intention of the Government to give such access, and if so he hoped that words would be introduced into the clause for that purpose.

THE ATTORNEY GENERAL said, that important object would be kept in view, and he thought that the words of the clause were sufficient to enable what the hon. and learned Gentleman suggested to be done.

Clause *agreed to.*

Remaining Clauses *agreed to.*

THE ATTORNEY GENERAL moved the following New Clause :—

"The plan upon which the said buildings shall be erected, and the necessary arrangements for the proper and convenient accommodation of all the courts and offices to be provided for therein, shall be determined upon by the Treasury, with the advice and concurrence of such persons as Her Majesty shall think fit to authorize in that behalf; and after the completion of the said buildings Her Majesty may, by Order in Council, from time to time nominate and appoint such persons as She shall think fit, with such powers to superintend and regulate the said buildings, and to provide for the proper care and maintenance thereof, and also (if it shall be found necessary) to vary from time to time the internal arrangements of the said buildings, and the purposes to or for which any part thereof may be used or appropriated, as to Her Majesty shall seem proper and expedient. Provided always that no orders or regulations requiring any expenditure of public money shall be made by such persons without the consent of the Treasury."

Mr. ROLT said, that although this measure had not been much discussed in the House, its provisions had been very carefully considered by those who were interested in the question out of doors. A proof of that was to be found in the part of the present clause which provided for the establishment of a Commission to superintend and regulate the new buildings. The Society of the Temple, of which he was a member, suggested, in a petition which they presented to the House, the necessity for such a provision, and although this clause had not been framed exactly in the form which they recommended, he admitted they could not ask for more.

Sir HENRY WILLOUGHBY asked, whether the Treasury was to have power to spend money upon these courts without coming to Parliament?

The ATTORNEY GENERAL explained that the clause did not authorize the Treasury to spend money, but provided that the persons who should have the care of the building should not have power to make any order without the consent of the Treasury. If the Treasury consented to any order involving an expenditure of money, they would have to apply to Parliament for the funds in the usual manner.

Clause *agreed to.*

Bill *reported;* as amended to be considered on *Monday* next.

COURTS OF JUSTICE CONCENTRATION (SITE) BILL—[Bill 11.]

SECOND READING.

Moved, That the Bill be now read 2°.—(*Mr. Cowper.*)

Mr. ROLT said, he thought it would be right to insert some words meeting the difficulty to which he had alluded, and recognizing the necessity of forming means of access to the courts when constructed, as a part of the scheme. In that view he should give notice of an Amendment which would have the effect of providing suitable access from the Temple to the new courts.

Mr. COWPER said, that by the Bill only so much of the site was taken as was absolutely necessary for the building. It was, therefore, not possible by that Bill to obtain power to make a bridge over the street, or a tunnel under it, but the Government would be very glad if the hon. and learned Gentleman's legal acumen would enable them to insert anything which would secure to the Government the power of doing either of those things.

Motion *agreed to.*

Bill read 2°, and *committed* to a Select Committee.

And, on February 24, Select Committee *nominated* as follows:—

Mr. Cowper, Mr. Selwyn, Mr. Crawford, Mr. Murray, and three Members to be nominated by the Committee of Selection.

BANK NOTES ISSUE BILL.—[Bill 12.]

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chancellor of the Exchequer.*)

Mr. BUCHANAN said: The present Bill contemplates no object of sufficient importance to compensate for the disappointment that will be felt, when it is known it is all that is to be expected as a substitute for a larger measure of banking reform. It may have been a mistake; and, if so, I do not wish to attach undue importance to it, but certainly, in the discussion on Scotch banks last Session, it was understood to have been announced by the right hon. Gentleman the Chancellor of the Exchequer, that the banking system of England would be reconsidered and amended, preliminary to similar measures applicable to Scotland and Ireland. Since that announcement was made, much interest has been excited in various quarters, and particularly in the burgh which I have the honour to represent. It was seen that no beneficial change in the banking of Scotland could be made, except in conformity with any change of law and system to be adopted in England. Hence the whole policy of the Acts of 1844 and 1845 have been keenly canvassed, and more especially the important question has been raised—should there be one bank only invested with the exclusive privilege of issue, or should there be various competing banks? It is a disappointment, and will be felt as such in many quarters, that, instead of a comprehensive measure, this small, and in some respects, objectionable Bill, has been introduced. No doubt it provides a remedy for restrictions and disabilities under which banks of issue are now placed. There can be no objection in principle to such companies being allowed to pay their notes in London, and to issue them again within three miles of the same centre; nor, so far as those companies themselves are concerned, can there be any objection to their allowing to the Government whatever percentage on their issues they may consider to be a fair equivalent for their extended privileges. But in the interest of the public an important question arises—Are bank issues a fit subject for taxation? and if they are to be held as a right or privilege which the State may confer or refuse at its pleasure, and therefore may sell at such a price as can be obtained, is there not incurred a correlative obligation that the State shall guarantee the issues which it taxes? In regard to the expediency of the proposal, it is obvious enough that taxing bank issues, though primarily a tax on bankers, is in reality a tax on the trade and industry of the country. It is a fundamental principle of our commercial legislation that the raw materials of manufacture should not be charged with import duties. On the same principle, capital, which may be regarded as the indispensable raw material of all commercial undertakings, and which according to its value affects the cost of whatever is produced, should be exempted from taxation. But the question of principle is more important still. If Parliament consents to a Government tax on issues, it admits that such issues are a property belonging to the State—that they may be withheld or conferred at the sole pleasure of the Minister—who is thus invested with the absolute control of the banking system of the country. According to his pleasure he may contract or expand issues, and thus affect the value of all property. Such a power is not only capable of abuse, but is contrary to every sound economical principle. Something may be said for the interference of Government with banks of issue, so far as to require them to give security for notes issued to the public by a deposit of Consols or other Government stocks, and perhaps some other regulations; but it is contrary to all experience to assume that the rigid, unintelligent, unscientific rule of State agency can be advantageously substituted for the free action of competing banks. Free competition is the only security that the public will be fully, cautiously, and economically supplied with bank notes, and these notes based on many stocks of gold, instead of one only, would be more certainly convertible in a period of alarm than they can be regarded to be at present. If the principle is wrong it ought to be resisted. It almost seems that the small gain to the Exchequer has been the leading object of the right hon. Gentleman. He is anxious to introduce the thin end of the wedge, and step by step to subject all bank issues to taxation. Now is the time to resist the principle. No doubt the Act of 1844 has provided that the profits on lapsed issues of country banks taken up by the Bank of England should be accounted for to the State; but notwithstanding of that precedent in a Bill which was avowedly only temporary in its provisions, the right of the State to make a charge on issues has not hitherto been admitted, and the present Bill fairly raises the question. At all events, if the State is to derive profit on issues, it should certainly afford a guarantee to the noteholders. In so far as the present Bill bears on the principle of the Act of 1844 it is inconsistent with the objects of that statute. Without doubt, and almost by distinct admission, the framers of that Act contemplated that there should ultimately be only one bank of issue throughout the kingdom, and that by degrees the privileges of all other banks should be withdrawn and vested in the Bank of England. But the present Bill is a step in the opposite direction. Issuing banks in competition with the Bank of England are now to be brought into London for all purposes of banking except issue, and, as regards issue, they may now approach within three miles of the same centre, instead of sixty-five miles as at present. Country banks may also unite and amalgamate, and private banks may increase their number of partners, retaining their respective authorized issues. There is thus a machinery provided by which large banks may be enabled to compete with the Bank of England, in so far as that can be done at a distance of three miles from London. This will be no objection to those who dislike the Act of 1844; but, whether intended or not, the policy of that Act is assailed by the provisions of the present Bill. It almost seems as if all other consequences have been disregarded in the eager desire to tax issues. But the greatest objection to this Bill is, that it must be regarded as postponing the consideration of the general policy of our present Bank Acts. Banks of issue are empowered to take leases of their privilege of issue till

January, 1890. No doubt, there is a provision for granting compensation, should that right be withdrawn at an earlier period. But to a considerable extent the present Bill will obstruct new arrangements, raise questions with the metropolitan joint-stock banks, and complicate the anomalies which already exist to such an extent as will probably result in the postponement of all improvement in our banking system for a quarter of a century. To many that prospect is alarming. A large and increasing number of persons, whose experience entitles their opinions to weight, regard the present Bank Acts as most injurious to the public interest. They believe that the experience of twenty years has condemned these Acts, and that a reconsideration of the principles on which they are based is urgently demanded. The state of the world is different from what it was twenty years ago. The movements of commerce are not only greater but much more active. Steam and the telegraph have made Europe, India, and America one and the same for financial purposes; and no demand for capital arises within that wide area, but the impulse is communicated to its centre from its farthest extremity. Are the few millions of gold in the Bank of England equal to bear these constant demands? What wonder is there that its directors, tied up by an Act of Parliament, and with their capital invested in a Government loan, should be in constant alarm, and communicate their fears to the public by spasmodic action in their rates of discount? But this is not all. Those adverse exchanges which frequently arise, and which the bank directors are expected to redress, proceed from causes over which they have no control. The joint-stock banks and the large discount houses issue credit money to ten times the amount of the Bank of England, and their cheques and bills as effectually stimulate prices and depreciate the currency as an over issue of notes. But those parties who thus derange the exchanges are relieved from all responsibility for their own acts. A drain for gold causes them no inconvenience. They devolve that on the Bank of England and the public. The obvious remedy for this evil would be many banks properly constituted, each provided with stocks of gold sufficient for its own liabilites; and, as sure as there is economical truth in the doctrines of free trade, a sufficient remedy would be found for existing evils. I would much rather that some other Member of the House should take action in this matter, but I think it my duty to move, an Amendment to the second reading of this Bill—

> "That it is expedient to inquire into the working and effect of the 7 & 8 *Vict.* c. 32, and the 8 & 9 *Vict.* c. 38, for regulating banks of issue in the United Kingdom, and that in the meantime the second reading of the Bill now before the House be postponed."

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is expedient to inquire into the working and effects of the Acts 7 & 8 Vic. c. 32, and 8 & 9 Vic. c. 38, regulating Banks of Issue in the United Kingdom, and that, in the meantime, the Second Reading of the Bill before the House be postponed,"—(*Mr. Buchanan,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. BAXTER did not rise for the purpose of discussing the various provisions of this Bill, but rather to put a question to the Chancellor of the Exchequer. He certainly understood the right hon. Gentleman last year to say that he would be prepared this Session to bring forward a comprehensive measure, or, at all events, to enter on an investigation of a comprehensive character. The hon. Baronet opposite could not have forgotten the speech delivered by the right hon. Gentleman on the second reading of the Bill introduced by him (Sir John Hay). They were then told that the whole system of the law with respect to banking required consideration and amendment, and that the right hon. Gentleman objected to that Bill on the ground that it legislated for Scotland before there had been any legislation for England or the United Kingdom; and that the time was fast approaching when the attention of Parliament would necessarily be directed to this important subject. The right hon. Gentleman concluded his speech in these words—

> "The time must come when it will be necessary for the Government to propose the adoption of some well-considered scheme for the further development and advancement of several of the provisions of the Acts of 1844 and 1845."

He wished to know whether they were to consider this Bill as the fulfilment of that promise. If the measure now submitted to the House was the only one he was prepared to produce after the declaration made last year there would be a feeling of very general disappointment among a very large portion of the mercantile community of Scotland. With regard also to this Bill, he hoped, if the second reading were passed, which he supposed it would, the right hon. Gentleman would reconsider the 13th clause, giving compensations in cases of bankruptcy, and which he thought liable to very great objection, before going into Committee.

MR. WHITE said, he thought piecemeal legislation on this question altogether inexpedient. The time had arrived when they ought to address themselves to a full inquiry into the Banking Acts affecting not only England, but Ireland and Scotland. He quite admitted that the 5th clause of the proposed Bill dealt with a real grievance; that the restriction on the number of partners, in the case of banks of issue, was a premium on unsoundness, and that the prohibition from having a house in London or within sixty-five miles was a piece of exceptional legislation which should be removed; but after the declaration of the Chancellor of the Exchequer last year that the whole question should engage the early attention of the Government and the House, he thought they should postpone legislation to a more fitting period, or rather till a full inquiry had taken place into the operation of the Bank Acts of England, Ireland, and Scotland. When he said this, he was quite aware that the present Parliament was so near the term of its legal duration that it would not be expedient that a Committee of that House should be appointed. And, indeed, with all respect for that House, he was scarcely of opinion that a Select Committee of that House was the best body for conducting the inquiry. He should prefer that a Royal Commission should be appointed, and he thought there would be a peculiar fitness in issuing a Commission of Inquiry now, seeing that the Government of France had just appointed a Commission to inquire into the same subject. He could assure the Chancellor of the Exchequer that there was a popular belief that the operation of the Currency Act tended to make the rich richer and the poor poorer. When the last Committee sat there was but a partial inquiry, but he would read the following extract from the Report of that Committee:—

> "Without entering into any question respecting the issue of small notes on the credit of the State, the Committee desire it to be understood as their opinion that the subject of the issue of small notes in Ireland and Scotland and of private Issues generally in the United Kingdom should be reserved for the future consideration of Parliament without prejudice."

That was on July 30, 1858. Nearly seven years had elapsed since that period, and no inquiry whatever had taken place. Again, since that period the principle of limited liability had been sanctioned by legislation, not only in banks but in other industrial undertakings. He need not say that this was a novel feature, and the effect which it might have on our monetary relations certainly demanded investigation; besides which there had risen up gigantic financial corporations, both in England and the Continent, which made an inquiry the more urgent. The supporters of the Banking Act of 1844 told them that the object of it was to prevent fluctuations in the value of money; but what had been the effect? Last Session Lord Overstone moved for a Return of the minimum rate of discount charged by the Bank of England from the passing of the Bank Act of 1844 to the 5th of May in last year, and from that Return he found that in 1858 there were six changes in the rate, which varied from 2½ per cent to 6 per cent; in 1859 there were five changes, and the rate varied from 2½ per cent to 4½ per cent; in 1860 there were eleven changes, and the variation was from 3 per cent to 6 per cent; in 1861 there were eleven changes, and the variation was from 3 per cent to 8 per cent; in 1862 five changes, from 2 per cent to 3 per cent; in 1863, there were twelve changes, and the variation was from 3 per cent to 8 per cent. The year 1864 opened with the rate of 7 per cent and closed at 6 per cent, and during the year there were the unprecedented number of fifteen changes in the minimum rate of discount charged by the Bank of England. In the first quarter the rate varied from 6 per cent to 8 per cent; in the second, from 6 per cent to 9 per cent; in the third from 6 per cent to 9 per cent, in the fourth, from 6 per cent to 8 per cent. No one of these changes was less than 1 per cent, whilst the average rate of the year exceeded 7 per cent. No Act of Parliament could prevent fluctuations in, or determine the value of money; but still he did think when a law had been put to the test and had signally failed that the time had arrived when it should be inquired into. In his opinion it was entirely owing to the remarkable sagacity displayed by the Bank of England last autumn, that they did not have a recurrence of the disasters of former panics; but then they could not always be sure that the same wisdom and foresight would prevail in the management, and hence the necessity for some other security. It had been said that the Act of 1844 was intended to check speculation. ["No!"] At any rate, whatever the intention of the Act, it was undeniable that speculation is now more rampant than ever. When they reflected on the wealth and inexhaustible resources of the country, they must see that matters were not in a sound state when the transfer of a few millions produced, if not a panic, at least uneasiness and distress. It was clearly an unhealthy symptom that the purchase of a million of gold should raise the rate of loanable capital 1 per cent. In support of his views he might cite the opinion of Mr. Thomas Tooke, the founder of the Political Economy Club, and a high authority on such questions who said that the Act of 1844 was one of the most wanton, ill-advised, pedantic, rash pieces of legislation he ever knew, and that in its consequences it had proved a lamentable failure. Mr. John Stuart Mill's opinion was also on his side. His own conviction was that any legislative interference with banking was unjust and injurious. There were no reasons why banking should be exempted from the operation of those principles of free trade which had been so successful in other cases. A former Secretary of the Treasury, Mr. James Wilson, used to say he could never understand how persons calling themselves free traders could think of excluding banking from the application of their favourite principle. The banking abuses which occurred in the first quarter of this century were not attributable to anything inherently wrong in the system, but to the legalized and long continued suspension of cash payments (from 1797 to 1821) by the Bank of England, and to legislative restrictions as to the number of partners in each bank, and other obstructive enactments. In Scotland, banking before 1845 was conducted on the principle of unrestricted competition and without any Government interference whatever; and it was for that system he pleaded now. In China there was perfect free trade in banking, and the Government had found that the less they meddled the better it was for all concerned. The consequence was that there were thousands of bankers in China. In Shanghai alone there were probably three or four times as many as in London. Nobody ever heard of a British merchant losing money by the notes of a Chinese banker; but of course a selection was made of paper for acceptance. In Scotland the system he advocated had been found to work well, and, as had been truly said, although two joint-stock Scotch banks had failed, the creditors all received 20*s.* in the pound. He held that the time had arrived for a fair, full, and comprehensive inquiry into the subject; but in asking for that he wished it to be understood that he did not seek to alter the convertibility of our paper Issues. He was a bullionist in the strictest sense.

THE CHANCELLOR OF THE EXCHEQUER: I rise now to remove a misapprehension from the mind of the hon. Member for Glasgow. He says that last year I, as well as some other Members, and in particular a Gentleman of high authority on such matters—the Governor of the Bank of England, whose absence to-night we all regret—expressed the opinion that it would be desirable for Parliament, at a period which was approaching, to revise the Acts of 1844 and 1845, with a view to the further development of some of their provisions. My hon. Friend says these words excited an expectation in Scotland that the Government would this year propose to legislate on the currency. Now, in the first place, my words, as they are reported, contain no reference whatever to the present year. In the second place, what I said was not construed at the time by any hon. Member as having reference to the present year, and if such a construction had been put on them I should at once have pointed out, what must be obvious to all, that there could not possibly be a worse season for legislating on the currency than the last Session of an expiring Parliament. That being the case, it is plain that the present Bill is not the fulfilment of any supposed pledge made by me last year. The present Bill arose out of a proposal essentially practical. Certain parties, being in possession of a portion of the privilege of issue, proposed, that upon placing their issue on terms more favourable to the State, and agreeing to hold it for a limited instead of, as at present, an indefinite period, they should be released from certain restrictions upon their business. My hon. Friend the Member for St. Ives (Mr. Paull), who communicated with me on the government of the National and Provincial Bank, would, I apprehend, have been perfectly justified in submitting a proposal of that kind to the House, quite irrespective of the wider considerations involved in the question of issue. It must not be forgotten that at this moment, by the Act of 1844, the freedom of the banking trade is restricted, in a certain degree, on account of the privileges held by various parties in regard to issue. There I have drawn a distinction that my hon. Friend who last spoke will scarcely admit. My hon. Friend says there ought to be perfect freedom of trade in banking. I agree with him ; but when my hon. Friend explains what he means by perfect freedom in banking, we learn that, as he understands it, it implies that every banker ought to be allowed to issue as many promissory notes as he pleases. My answer is (whether my hon. Friend be right or wrong, and as to that I have a very decided opinion)—my answer is that this is not a question of free trade in banking. Banking is one thing, issue is another thing. Half of the misunderstandings that prevail on the subject arise from that inexplicable confusion in the minds of men which leads them to suppose that the issue of promissory notes is essentially and properly part of the business of a banker. I do not, of course, deny that there is some connection between the two, or that in Scotland they are so closely united in the minds of the people that it will be long before they separate them even in the abstract. But legislation in this country has proceeded—the Act of 1844 proceeded—all who understand the subject proceed on the principle that issue is one thing and banking another. With respect to the speeches of my hon. Friends the Members for Glasgow and Brighton (Mr. Buchanan and Mr. White), I may be allowed to say that I hope I may be permitted to deprecate any general discussion on this occasion on the working of the Act of 1844, or the manner in which that Act has withstood the strain and pressure of last autumn. I do not at all object to take a discussion on that subject in this House if it be the pleasure of hon. Members to entertain it, and I do not know that such a discussion would not be attended with benefit, since I believe it would show that the Act of 1844, being as it was admirably administered by the Bank during the crisis, rendered essential service to the country. That, however, is not the question at the present moment. The question now is whether we are justified in refusing the application of bankers, who are issue bankers, but who desire to obtain freedom in banking which they do not, under existing circumstances, possess, and who are willing, in consideration of the freedom, to fix the term at which their right of issue shall absolutely cease, and that the renewal of that right, if it take place at all, shall be the result of the deliberate action of Parliament. I, for one, do not think we should be justified in refusing an application so made. I am of opinion that bankers who are disposed to act on a plan of that kind ought to be permitted to do so, and that it is much better if this is to be done that it should not be done for one bank alone, but that that which is desired by particular banks should be open to others. Why do we desire this Bill should pass? To promote freedom of trade in banking, not to promote freedom of trade in issue. Is it desirable when an almost absolute necessity drives banking establishments throughout the country towards this great centre of the money operations of the world that those establishments should be hampered by arbitrary provisions, and should be obliged to pass their business through the hands of agents? The main question is whether permission required to transact their business shall be given to banks now holding the privilege of issue—and if given—being good in itself,—on conditions good—in themselves. I do not say that Parliament is bound to any particular policy in future in regard to the issues placed under the operation of this Bill, but Parliament will have its hands untied in respect to those issues. The effect of the conditions will be that as regards all issues placed under the operation of the Bill Parliament shall, after a fixed period, become perfectly free to deal with them on consideration of public policy alone, without being bound and restrained by a number of undetermined questions, having relation to the nature of the rights possessed by particular parties. I think it is better that I should, on this occasion, avoid entering into the details of the Bill. My wish is that ample opportunity should be given to the country and to those persons more especially interested in its provisions to consider well its scope and object before it goes into Committee. With that view, after the Bill has been read the second time, I should propose that the Committee on the Bill should be postponed for four weeks. It is within my knowledge that the attention of bankers and others have been drawn to the Bill from the moment of its introduction, and I feel certain that within the period I have just named we shall be placed fully in possession of the views of those persons who are best qualified to give us counsel on the subject, and to point out whether they think their own interests or those of the public are likely to be beneficially or injuriously affected by the operation of the Bill. My hon. Friend the Member for Glasgow (Mr. Buchanan), while admitting that the principle of the Bill is sound, objects to it on the ground that it would continue the system of having a large number of banks of issue instead of one. There are those who think that it is the tendency of a measure of this kind to stop the extinction of private issues which is sensibly advanced under the operation of the Act of 1844, and it is desirable that the House should know what has been the operation of that clause of the Act which, no doubt, did contemplate the extinction of private issues in England and Wales. Taking, then, three periods of seven years each between the years 1844 and 1865, I find that in the first period of seven years £440,000 of private issues were absorbed; the amount in the second seven years being £214,000, and in the third £166,000. If, then, the absorption of those issues were to proceed at the same rate, they would be disposed of in England and Wales in about 250 years from the present time; but inasmuch as private issues are disappearing at a rapidly decreasing rate, I think it more likely that 400 years must elapse before Parliament would find itself in a position to approach the subject with hands perfectly free. My hon. Friend the Member for Brighton (Mr. White) is very anxious for legislation on this question of the currency, but his own good sense points out that not only we cannot legislate in the present Session, but that we cannot even inquire. He deprecates the appointment of a Committee, and urges the issue of a Commission to examine into the question, and I confess I was rather startled at the proposal. I have great doubts whether in the case of such a subject as the currency, the adoption of so novel a course as to withhold even partially from this House the investigation of so delicate a question would be acceptable to Parliament or the country, and whether it would not retard those prospects of legislation which my hon. Friend desires to advance. My hon. Friend referred particularly to one of the clauses of the Bill, that which relates to banks being enabled to avail themselves of the provisions of the Bill in respect of their leasehold interests in the event of bankruptcy. Now, that is not a clause to which I feel myself particularly bound. I look upon it as a fair and equitable clause, but it is not one which is pressed for by the parties interested, and if hon. Members should deem it unnecessary to retain it, they may by all means dispense with it in Committee if they please. But the main object of the Bill is to set the business of banking free, and to place the issues on an improved footing until such period as Parliament may entertain on purely public grounds the important question which has never been decided on its merits—whether it is desirable to concentrate the whole of the issues of England and Wales in the hands of the Bank of England, or to make use likewise of the agency of other banks. I quite concur with my hon. Friend the Member for Glasgow, that if the issues are taken in hand by the Bank of England it becomes its duty to lodge security in respect of them. It does not appear to me, I may add, in the present state of things, and in the present condition of Parliament, possible to propose a final and absolute settlement of this question. It must depend upon the degree of willingness amongst all parties interested to come to a settlement on the subject; but I am not warranted at the present moment in proposing any measure of that kind on the part of the Government. Under the provisions of this Bill the private issues of the country will be better secured than at present; for the Bill admits the transfer of issues from one bank to another. The sellers will be the banks that are weak, and the purchasers the banks that are strong and able to manage the issues with the greatest effect and the greatest benefit to the country. I propose, Sir, a Bill that meets fairly and in a manner beneficial to the country, the just claims of certain parties—claims so just that it is difficult to refuse them—and meet them in a manner that does not effect a final solution of the question respecting the private issues, yet leads the way to such a solution without prejudicing the opinion of Parliament. As to whether the Government takes a right view of the percentage to be paid, or the particular lease to be given, these and other questions are matters of detail for consideration; but I should be sorry if the House should pass the Bill in a form less favourable to the parties interested than that in which it now stands. It will be perfectly compatible with the general aim of the Bill that its particular provisions should be considered by the House, and, if thought desirable, should be modified in a fair and beneficial direction. At any rate, I should wish, for my own part, to have the advantage on a question of this kind of all the consideration that can be given to the details of this Bill during the interval that will elapse between the second reading and the time at which I shall move that the House resolve itself into Committee upon the Bill; and I would propose such an interval as shall afford a most convenient opportunity for ample consideration by all the parties interested.

SIR EDWARD COLEBROOKE must express his disappointment that his right hon. Friend had not kept the promise he was understood to have held out of his readiness to consider the question of the Bank Act. He was within the recollection of the House whether the Chancellor of the Exchequer did not last Session state his willingness to consider boldly the whole question of the Bank Act. That considerable disappointment should be felt at so meagre a measure was, therefore, inevitable. He regretted that the right hon. Gentleman had not taken notice of the important question on which his hon. Friend the Member for Glasgow had spoken—namely, the taxing of issues upon the principles of this Bill. He thought the second reading ought not to have been moved until the public had had more time to consider the bearings of the question. It should be remembered in the discussion of this subject that the relation of these banks to the Government was very different from that of the Bank of England. Nearly the whole of its capital being lent to the Government, its relation to the Government was so close that if the Bank fell into difficulty the Government would feel a degree of responsibility. In placing small banks under the proposed restrictions, Parliament would be putting the Government in a position of obligation towards them. If the Government taxed the issues of any private bank they debarred it from holding a proportional amount of securities which it could realize in time of difficulty. He would advise his hon. Friend (Mr. Buchanan) to reserve the question he had raised for separate discussions, but could he not do so should be prepared to support him.

MR. HUBBARD was ready to admit that it was impossible during the present Session to appoint a Committee to investigate the operation of the currency laws. But when he found Gentlemen from the north, and gentlemen from the south, united in their opposition to the present currency law, yet widely differing from one another, he could not but feel that it would be desirable that the question should be fully discussed. He trusted that the subject would be thoroughly investigated in the ensuing Session, and that the hon. Members for Glasgow and Brighton would find seats in the next Parliament, and thus have an opportunity of testing their opinions and reconciling their differences. The hon. Member for Glasgow had uttered a dogma with which he entirely agreed—namely, that there was nothing more important than to determine whether it was right or not to tax private bank issues. Upon whom was the assumed tax supposed to fall. He thought it was levied upon the noteholders; and, if so, the tax of £2 5*s.* per cent proposed in this Bill would be levied upon those who were paying a heavier tax at the present moment. There was, however, this difference between the existing and the proposed tax. The tax that was proposed would be paid to the State for the advantage of the entire community. But who had the advantage of the tax that was now levied? So far as the issue of Scotland was concerned, the tax levied upon the community through the issues of paper money was levied for the advantage of Scotch banks. This discussion raised the important question — in whom resided the right of levying or creating a revenue by the issue of paper—that was to say, by converting an article valueless in itself into an article of very great value? It had always appeared to him that if it were the proper function of the State to provide the people with a safe and convenient currency it ought not to be limited to one form of currency. If it were the duty of the State to provide a safe currency of gold, silver, and copper, why not also of paper? When they converted gold into coin they merely gave a form and name to that which was of equal value previously. When they converted silver into coin they gave it an additional value of 10 per cent; when they coined copper they added 100 per cent to its value. But when they issued paper, they created a positive value out of that which was intrinsically valueless. Now, supposing the paper currency of Scotland to be £3,000,000, and supposing the bankers to lend it at £5 per cent, they would levy £150,000 a year upon the community. That was, in fact, the tax which the Scotch bankers levied upon the Scotch community. Now, if that currency had been subject to the tax proposed in this Bill, half of that sum would have gone into the Exchequer, and would have formed part of the accruing surplus which would have been available in diminishing the duty on tea, coffee, sugar, and even malt. If the question was ever to be brought to a satisfactory issue, Parliament must affirm the right of the State to provide a valid and convenient currency, and to secure for the public advantage whatever profit may accrue upon the public circulation of credit paper money. There would then be no longer any confusion between banking and coining paper money, and banking would be free to every one. He did not on this occasion want to go into a discussion of the currency laws, or of the working of the Bank Charter Act of 1844 ; but whenever a Committee should be appointed to consider the operation of the Act he looked forward with confidence to the result of the inquiry, being convinced that it would establish not only the wisdom of the law, but also the discretion and judgment with which it had been carried out. With regard to the measure before the House, if he had any scruple it did not arise from any difference with the Government as to the principle that ought to lie at the bottom of a currency Bill. All he feared was that the Chancellor of the Exchequer was deviating from those principles which ought to guide him upon the question of the currency. The compromise which the right hon. Gentleman proposed might have the effect of postponing, and possibly of frustrating, the inclusion of the whole paper money of the country in one uniform character and expression. There was a positive inconvenience in the use of conflicting expressions of value—an inconvenience which was daily felt in the clearing-house in Lombard Street, where they had not only to deal with gold and Bank of England notes, but with the notes of various country banks and bills of exchange. The country notes differed from the Bank of England notes, and the Lombard Street banks occupied a considerable portion of the time appointed for the clearing in sorting the various country notes and including them in the adjustments of the day. Moreover, these private notes were much more capable of being the subject of theft. Bank of England notes were registered, and it was easy to trace them—but there was no registration of these, and if a man slipped one in his pocket it could be as easily stolen as a sovereign, for it could not be followed. This brought him to what appeared to him to be the principal defect of the measure before the House. It was said that the country banks of issue had hitherto been working under certain disabilities from which they should be relieved. But on what terms? One would suppose by giving security for the payment of their notes, but they were not to be asked to do so, they were only asked to pay a certain percentage upon their circulation. The Chancellor of the Exchequer was willing to be a partner in their profits, but he would not participate in their promise to pay. He thought that if any measure was proposed on the subject of the currency laws, it should be directed to rendering it more secure. In saying this he would be understood as not throwing the slightest shadow of suspicion either on the notes of the Bank chiefly concerned in the Bill before them, or on those of other powerful corporations who exercised the privilege of issue. What he wished to convey was his opinion that unquestionable security should be given for the redemption of notes which circulated as the equivalent of coin. The Bill repealed the restrictions with regard to the number of partners, and with regard to the establishments of banks within the sixty-five miles distance from London. This would be advantageous to those coming within its operation ; but, looking at the distinction which the right hon. Gentleman himself had drawn in so very prominent a manner between issue and banking, he doubted whether in a measure for granting banking facilities they ought to insert provisions for sanctioning and perpetuating the practice of private issue, even for the sake of a share of the profit. He thought that the two subjects ought to be kept distinct from each other. Again, there was a provision for permitting banks to be merged into each other. Now, as it ought to be the object of the Legislature to bring our currency to the most secure and perfect form, he was opposed to facilities being given for the amalgamation of banks of circulation, because the circulation of those banks fell from various causes, and the weakest of them would die away under the present system; but if the law allowed the privilege which they now enjoyed to be made a matter of barter and sale, the more uncertain the position of any of them holding that privilege the more certainly would they endeavour to turn it to account by effecting a sale; and therefore the more precarious of those banks, which in a few years might die away, would be perpetuated by this power of amalgamation. The position of the country banks at the present moment was hardly one of so fixed and stable a character as the right hon. Gentleman would represent it to be. On reading the Act of 1856, he did not think it put them in a better position as regarded permanency of their privilege than that which they had enjoyed under the Act of 1844, for the second and last section of the enactment of 1856 stated that the composition should be continued for the future, "unless Parliament should otherwise provide." Therefore "the will and pleasure of Parliament" was before the eyes of the country issuers as that which at any time could terminate their powers. He should not say more on the subject at present, for if the House went into Committee on the Bill the time would then come for commenting on the various clauses; but he trusted that an Act introduced apparently for a very different purpose might not become the medium of effecting such consequences as those to which he had just referred. If his right hon. Friend persevered with the Bill in its present shape, instead of providing what was so desirable—an uniform system of currency—it would be the means of perpetuating a system which, however advantageous to the private issuers, was, as regards the community, defective both in security and convenience, and deprived the public of the gain derivable from the circulation of paper based on public credit.

MR. THOMSON HANKEY said, that he agreed in much that had fallen from the hon. Gentleman who had just spoken. He concurred in the main principle of the Bill. Entirely excluding the issue of paper money, there were difficulties affecting those who carried on the trade of joint-stock banks; and he thought that, as far as possible, all those difficulties ought to be removed. But he could not see why a measure for their removal should be accompanied by a provision continuing what he regarded as a mischief for a period of twenty-five years. He would give every man the power of establishing a bank wherever he pleased for conducting all banking operations, properly so called, but making an exception as regarded the power of issuing notes, which he did not look upon as a necessary part of banking operations. He objected to Parliament being asked to shackle itself with an engagement to last over twenty-five years, which would prevent the possibility of any action being taken by Parliament during that period, even though it should be thought desirable. He would create no new lease in the case of issuing banks, but would leave Parliament free to put an end to issues of promissory notes whenever it might be thought desirable to do so. The more he considered the subject the more convinced he became that the principle of the Bill of 1844 was a sound one—that principle being that there should be no issue by any company unless such issue was based upon sound security. On that very basis let them extend the principle in any way they could; and let the Government get any profit they could get by a new arrangement, if their arrangement with the Bank of England did not give them profit enough. He believed, however, that their arrangement with the Bank of England was a profitable one, and that any other would be a greater expense to the State. But, be that as it might, there was no good reason for confirming the existing rights of issues for a period of twenty-five years—a measure which would interfere with the action of Parliament hereafter. He did not think the country banks had any *locus standi* when they asked for such a provision, because in previous legislation it had been contemplated that it should be competent to Parliament to take the matter into consideration whenever it thought fit; and those banks would have no right to complain if Parliament put an end to the privilege altogether. He hoped the Chancellor of the Exchequer would reconsider this portion of his Bill which, if passed, would put this matter beyond the control of Parliament for twenty-five years, and, therefore, prevent it from being debated hereafter by many in that House who took a great interest in the subject.

MR. MALINS concurred in the observation of the hon. Member for Buckingham (Mr. Hubbard) that all money—all gold, silver, and copper—ought to be issued by the State; and, on the same principle, he thought no paper money should be issued except on the authority of the Government, they making themselves responsible. In other words, anything issued to the public in the way of money should be certain and fixed, and the public should not be inconvenienced by the failure of private banks. The hon. Member for Brighton (Mr. White) had done a public service by drawing attention to the working of the Act of 1844. Now, if it was the duty of the State to provide money, it was also its duty to provide it in sufficient quantity, and the great question as to the Act of 1844 was whether it did provide useable money in sufficient quantity. Nobody pretended that there was any want of wealth or of capital. The experience of last year had confirmed the experience of former years in which there were periods when there was an absolute scarcity of useable money, or the apprehension of it. The hon. Member for Brighton had drawn attention to the fact that, under the Act of 1844, there had been constant fluctuations in the rate of discount. He told them that in 1864 there were fifteen changes in the rate of discount by the Bank of England; and the question naturally arose, what was the cause? The principle of the Act of 1844 was to have a perfectly convertible bank note. There was not gold in the Bank at all times to insure that convertibility, and therefore the Act authorized the issue of £14,000,000 of notes not represented by gold, upon the faith of the debt due by the public to the Bank of England. Now, how did it happen that, in the autumn of last year, the rate of discount was at 9 per cent, which was practically a panic. How could the Chancellor of the Exchequer account for the fact that in September and October the rate of discount was at 9 per cent, when the gold in the Bank averaged £12,000,000, generally £13,000,000, and sometimes £14,000,000, and the reserved notes£7, 000,000; and, under the same circumstances, on former occasions, the rate was never higher than 6 per cent? Was the panic of last autumn created by the public wants, or by operations in the Bank parlour? He had heard an hon. Gentleman declare that the conduct of the Bank last autumn was singularly wise, cautious, and discreet, and yet there was a great public disaster. He had a strong opinion, which was participated in by many, that the uneasiness which had prevailed throughout the country had been caused by what had been done in the Bank parlour. Though not a commercial man himself he had watched those matters very closely, and he asked himself why should England, the greatest commercial country in the world, have its rate of discount 1½ per cent on an average higher than that of any other country? Why, when corn was so ruinously low, was the rate of discount so high? Why in England should money be dearest, the effect being to make the rich richer, and the poor poorer? The Act of 1844 gave the rich the power of grinding the poor. ["No, no!"] He repeated it. Every small trader was distressed last year, while the rich could obtain abundant interest. The greatness of England was not made up by its large traders, but by its general prosperity, and general prosperity could not exist unless the small traders were prosperous, and that could not be under these perpetual fluctuations. There was not a small capitalist who did not take up the newspaper with fear and trembling. But the Bank of England never seemed perfectly happy unless they were varying the rate. He saw a phalanx of bankers and bank directors opposite, and they knew very well that the public had been kept last autumn in a state of intense anxiety. He had met the hon. Member for the City of London one morning last autumn in Hyde Park, where they all resorted, and he had taken the liberty to tell him that the Bank of England had been most reprehensible for not having lowered the rate of discount, which was at 8 per cent at that time. Was it a small thing that in a commercial country like this we should have those frequent changes? Hon. Gentlemen opposite were free traders in everything but money. The principle of the Act of 1844 might be the soundest in the world, but there was a defect in its provisions, and he would venture to tell the Chancellor of the Exchequer that he would not discharge his duty unless he took an early opportunity of remedying it. In 1847, and again in 1857, the Act had been violated; the Government authorized its violation, and empowered the Bank to issue notes beyond the £14,000,000, and when the limit was passed the excitement and alarm of the public at once passed away. Directly the famous letter of the 25th of October, 1847, was issued, the rate of discount went down from 8 per cent to 5. In 1857 the Bank Act was again suspended; and again the pressure was relieved, and the rate within a few months went down, he believed, to 2½ per cent. When Parliament was summoned in 1857, he (Mr. Malins) urged the Chancellor of the Exchequer to take a power authorizing the Bank of England to go beyond £14,000,000. Last autumn, when the rate of discount was 9 per cent, if there had been a power of doing by law at which upon two emergencies had been done contrary to law, the late panic would have been prevented. But as long as the law remained in its present state we should have a recurrence of those panics, which might come on next month, or at any time this year. A man may enter into an engagement when money is at 4½ per cent, but when he has to fulfil his engagement he may have to pay 10 per cent. Every one knew when money was abundant, if a man went with a bundle of bills to be discounted the banker would gladly take them, but if the rate was at 8 or 10 per cent he would turn back perhaps half of them. If the bank had the power of going beyond the £14,000,000 plus the gold, then the continuous apprehensions in the commercial world would cease. In reading the City article in *The Times* or any of the newspapers one might light upon such an announcement as this: "Yesterday £100,000 of gold was taken out of the Bank." Was it not ridiculous, was it not contemptible, that a great country like this should have its commercial men frightened at the thought of £100,000 in gold being taken out of the Bank, just as if all their operations were to depend on whether there were one or two millions more or less in the Bank? He could not understand why Sir Robert Peel fixed upon the magical number of £14,000,000; but if there was magic in it at that time he asked how it could be sufficient in 1865, when the commercial transactions of the country had nearly doubled? It was the duty of the State to provide a sufficient quantity of money—paper money equally with coin—for the exigencies of society, and if at any time it was found that the quantity was not sufficient, the State ought to take steps to secure that it should be so. He did not contend for the inconvertibility of the note; the deficiencies of the Act of 1844 might be remedied without touching on that point. However right that Act might be in principle, experience showed that the working of its machinery was continually putting the country into a state of distress, and the time had come when it was the duty of the Government to take measures which would secure its relaxation in times of pressure.

MR. GOSCHEN said, he would not enter into a consideration of the Bank Act of 1844, because that would lead to an interminable discussion. But in reply to his hon. Friend the Member for Wallingford, he would observe that his hon. Friend had held it to be the duty of the State to provide a sufficient quantity of useable money. But it was plain that by useable money his hon. Friend meant money that somebody wanted to borrow. The State, therefore, according to his hon. Friend, was to supply all the money which anybody wanted to borrow. But he would put it to the serious consideration of hon. Members whether this was not a monstrous proposition. Any two men might sit down in a room and draw half a million sterling in bills, and then his hon. Friend said it was a great hardship if they could not get ready money for them. His hon. Friend failed to draw the necessary distinction between money and capital. Now, the circulating medium was the only thing with which the Government had anything to do. It was monstrous to suppose that the State was to supply capital. His hon. Friend had talked of the numerous fluctuations in the rate of discount. His (Mr. Goschen's) wonder was that the fluctuations were not even greater than they were. The fact was that the rate of discount depended solely on the demand for loanable capital. If the number of borrowers exceeded the number of lenders, the rate of interest rose; if it was less, the rate fell. The fluctuations were not in the circulating medium, but in the value of loanable capital. It was a mistake to suppose that with that state of things the State had anything to do; and he regretted to hear an hon. Member of position in the House affirm that the effect of the Act was to make the rich richer, and the poor man poorer. It would be a public misfortune if small traders who could not go deeply into these matters should get an impression that the Act had that tendency. There were difficulties in the question, no doubt; but he thought it was a fundamental principle that the price of an article must depend upon the laws of demand and supply. The principle of free trade was to give the greatest freedom to the means of supply. The Bank of England had no more power to control the rate of discount than any other establishment. If it asked too high a rate it would, of course, lose its business. What the hon. and learned Gentleman seemed to be asking for was that what was scarce should be made cheap.

The Bank had no power to establish the rate of discount; and the advocates of change who wished to make money artificially cheaper in times of scarcity, simply opposed themselves to a natural law. If an article was scarce, the natural remedy was to put a dear price upon it, and thus attract supply. When money was scarce, the capitalist came in and equalized the demand. It followed, therefore, that fluctuations must occur, and the more these fluctuations followed their natural course the better. When the hon. Member spoke of ten changes, he (Mr. Goschen) only wondered there were not twenty or thirty in the same period. If the Bank of England had no maximum limit of issue, did anybody suppose that money would always be at 4 or 5 per cent? The rate would fluctuate much more than it did now, and perhaps it would be better that it should do so. He thought it most essential that the question of the circulating medium, which was the sole object of the duty of the State, should be kept separate from that of capital, with which the State had nothing to do, and nothing could be more lamentable than when talented Members of the House informed the public that the Act of 1844 pressed severely upon the poor of this country.

Mr. T. BARING agreed and disagreed with much that had been said on both sides. He did not agree with his hon. and learned Friend below that money should be furnished to everybody who wanted it, nor did he agree with the opinion expressed by his hon. Friend opposite as to the fluctuations in the value of money. His hon. Friend said it was right that the interest of money should vary like the price of any other commodity, but the rise and fall in the value of money regulated the value of every other commodity. There was nothing so important for a commercial community as to have the rate of interest permanent and stable, because upon that people could only base their calculations. A variation in the rate of what his hon. Friend called loanable capital was different from a variation in any other commodity. A variation in the price of cotton did not affect other articles, but the value of money acted upon every other commodity. He confessed that he did not believe the Act of 1844 to be perfect, for nothing human was perfect. At the same time, he should be sorry to see in an Act of this kind changes made which you could not base upon previous experience or adopt

upon evidence of their necessity. His hon. Friend the Member for London seemed to see great advantages from these constant variations and commotions, but he believed that a constantly varying rate of money was a positive disadvantage to the progress of trade in any country. Yet under what measure had the rate of currency ever varied more than under the Act of 1844? The convertibility of the note had been maintained under other Acts, but it had been sometimes endangered under the Act of 1844, and a prominent defect in the Act was that it had been necessary to repeal it twice within twenty years. With regard to the present Bill, as the Chancellor of the Exchequer said, it would be advisable to consider the necessity of changes in the Bank issue department, he asked whether it would be well to adopt a measure which in certain cases could not be altered for twenty-five years, and whether it would not be better to let the Bill stand over until the whole subject was considered, and as the right hon. Gentleman seemed to think it would be, in the first Session of the new Parliament.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *Thursday,* 16th March.

ELECTION PETITIONS ACT (1848) AMENDMENT BILL.—[Bill. 19.]

COMMITTEE.

Order for Committee read.

Moved, "That Mr. Speaker do now leave the Chair."—(*Sir Colman O'Loghlen.*)

Mr. AYRTON called attention to the Act of 1848, and to the procedure under it, by which, if any mistake were made in complying with the numerous provisions of the Act, the whole proceedings upon an election petition became void. This was analogous to the practice of our law courts 400 or 500 years ago, when, if at any stage of his case a mistake were made, the suitor had to bring a new action. Why should not the procedure upon an election petition be amended as our legal procedure had been, and liberty be given to amend in case of any technical error? Some years ago a petition failed in consequence of an error in the form of the recognizances, and then a Bill was brought in to cure the defect in the Act of Parliament.

Now, because in one case somebody had made a mistake about the sitting of a Committee, another special Bill was brought in. He did not think that an expiring Parliament was the best to deal with these matters, and he would suggest that the Speaker, together with the learned Gentleman who advised him upon these subjects, might devise a comprehensive Bill to cure all the known defects of the present law, and giving the House power to take steps to secure the trial of all election petitions upon their substantial merits. He therefore appealed to his hon. and learned Friend whether he would now proceed with the Bill.

SIR COLMAN O'LOGHLEN said, it was true that he introduced the Bill in consequence of a technical error which occurred in the case of the Lisburn Election Petition last Session. But his Bill went somewhat farther than that case, for it gave power to revive a Committee or to appoint a new one. The Bill had the approval of the Law Officers of the Crown, and he must proceed with it.

Motion *agreed to.*

Bill *considered* in Committee, and reported without Amendment; to be read 3° to-morrow.

WRITS REGISTRATION (SCOTLAND).

LEAVE. FIRST READING.

THE LORD ADVOCATE moved, for leave to bring in a Bill to alter and amend the system of registration of writs relative to land in Scotland. The hon. and learned Lord said the Bill was similar to one he had introduced last year, and its object was to substitute one general register for the double registration now required. He understood that an hon. Friend intended to propose a measure whereby the county registers would be the sole registers. That would fairly raise the question, and upon it the point at issue could be discussed.

MR. DUNLOP said, he should take an early opportunity of asking leave to bring in a Bill to make the county register the sole register of writs relating to land.

Motion *agreed to.*

Bill to alter and amend the system of the Registration of Writs, relative to Land in Scotland, *ordered* to be brought in by THE LORD ADVOCATE, Sir GEORGE GREY, and Sir WILLIAM DUNBAR.

Bill *presented* and read 1°. [Bill 41.]

House adjourned at half
after Eight o'clock.

HOUSE OF LORDS,

Friday, February 24, 1865.

MINUTES.] — *Sat First in Parliament* — The Lord Oxenford, after the Death of his Father.

PUBLIC BILLS — *First Reading* — Attorneys and Solicitors* (15); Civil Bill Courts Procedure (Ireland) Act (1864) Amendment* (16).

ATTORNEYS AND SOLICITORS BILL.

[H.L.] PRESENTED. FIRST READING.

THE LORD CHANCELLOR, in presenting a Bill to amend the Law relating to Attorneys and Solicitors, said: My, Lords, the present principle of remunerating attorneys and solicitors is one which requiries amendment, and is one of the instances of the old and absurd practice of the law interfering to regulate the rights of labour and of determining the manner in which the person employed shall be remunerated. According to the present system, when an attorney is employed by a client his remuneration is governed by certain fixed rules, from which it is impossible for either party to depart. For instance, supposing a solicitor be employed to collect and distribute the assets of a debtor among his creditors on the terms of receiving one-sixth of the sums so distributed as his remuneration, such a contract would not be legal, and could not be enforced between the parties. Another objection to the present system is that the charges are based on a most mischievous scale. Take, for example, a deed. The remuneration for preparing a deed is regulated by the quantity of writing required; so that, instead of being remunerated according to the skill, care, time, and labour expended in drawing it, the solicitor is paid by the yard. In proportion to the number of words used so is the remuneration. The practice is most mischievous, as it leads to a great deal of that verbosity and tautology which characterizes legal documents. The consequence of the practice is to throw a great opprobrium on a numerous and honourable body of practitioners. The Bill proposes to deal with these defects by a very simple remedy—namely, by allowing the attorney and his client to enter into a contract specifying the remuneration to be given for the work to be performed. Of course the Bill is one which requires to be looked at with care and attention, and I feel assured that I shall have the assistance of your Lordships, and more especially of my noble and learned Friends, in my endeavour to accomplish this great object. It is singular that until I brought forward my Bill last Session no attempt should have been made to remedy the acknowledged and admitted defects I have referred to.

Bill to amend the Law relating to Attorneys and Solicitors — *presented,* and read 1ª.—(*The Lord Chancellor*) (No. 15.)

PATENT RIGHTS.

SHEPARD'S PATENT BILL—WRIGHT'S PATENT BILL.

LORD REDESDALE said, he had postponed the second reading of the Shepard's Patent Bill and Wright's Patent Bill—both private measures—until Monday next, when he should draw their Lordships' attention to their terms. These Bills involved the serious question whether patentees who had allowed their patents to expire through not having paid the fee of £100 at the end of the first seven years, should be allowed to bring in Private Bills to remedy a neglect of which the patentees themselves had been guilty. If there should be any alteration of the law of patents it would be well to insert a clause in reference to this particular.

THE LORD CHANCELLOR said, the House was very much indebted to the noble Lord the Chairman of Committees for having brought the subject under their notice. At present the Lord Chancellor had a certain discretion of relaxing the law in cases where he might think it reasonable to do so. In the Bill which he hoped to be able to submit to the House for amending the law of patents this would be one of the matters included; and if the clause relating to it should be agreed to it would be in the power of the Commissioners of Patents in equitable cases to relax the rules of law.

LORD REDESDALE said, the difficulty was to know where the line should be drawn in relaxing the law — whether it should be confined to cases of the lapse of a few days, or extended to cover the lapse of three months. He thought that if the patentees did not pay the £100 at the proper time there should be a further time allowed to them—say one month; and that they should be required to pay the penalty of £200 or £300.

LORD STANLEY OF ALDERLEY inquired in what manner the necessity of these Bills had arisen?

LORD REDESDALE said, it was called "inadvertence." In one case the cause alleged was sickness in the patentee's family, and he was disposed to think it was an honest case of inadvertence.

THE EARL OF ELLENBOROUGH asked whether, if the money was not paid at the proper time, the patent did not lapse? In that case the Bill was not to continue the patent, but to revive it. And, what he asked, was to be the position of those who, in the interval, knowing the patent had lapsed, had appropriated the invention?

LORD CRANWORTH suggested, that the Bill about to be introduced might contain a clause making the Bill retrospective, if the Lord Chancellor should think fit in the particular cases for which Private Bills were now before the House.

LORD REDESDALE thought that a fixed rule ought to be laid down to meet all cases of lapsed patents, and that nothing ought to be left to the discretion of the Lord Chancellor or the Chairman of Committees.

THE LORD CHANCELLOR said, the question for their Lordships to consider was, whether they would permit these *privilegia* to be brought in in particular cases to relieve men from the forfeiture which they had incurred by reason of their not observing a well known law. If they permitted it, then, of course, their Lordships must be satisfied by the same proofs of the fact as would be required by a Court of Equity, and that, of course, would have to be obtained by referring the Bill to a Select Committee. The difficulty suggested by the noble Earl near him (the Earl of Ellenborough) was, no doubt, a very important one. The moment a patent ceased, the invention became public property, and if their Lordships interfered to set up a patent again, how were they to cover the interval between the lapse of the patent and the time when the Bill received the Royal Assent. No doubt great inconvenience would be produced, and he could hardly see how a court of justice could give a remedy in such a case.

METROPOLITAN SEWAGE—REPORT OF THE SELECT COMMITTEE.

OBSERVATIONS. QUESTION.

THE EARL OF LONGFORD, in rising to call attention to the Report of the Select Committee of the House of Commons upon Metropolitan Sewage of last Session; and to ask if it is intended to take any steps to carry out the recommendations of the Committee, said, that the inquiries of the

Select Committee appointed by the other House during the last Session of Parliament, were first directed to the general subject of the utilization of the sewage of London and other large towns. Their inquiries were directed afterwards to the general subject of the pollution of rivers. During late years the subject of the disposal of town refuse had seriously occupied the attention of the public generally, and especially of the local boards who had the charge of the interior police of cities. The old and imperfect system of scavenging and house drainage, had gradually been superseded by other systems, which, however, were not universally allowed to be improvements, inasmuch as some obstinate persons appeared to be of opinion that these changes had not always been in the right direction. The advantage, however, right or wrong, we have the present system to deal with, with its advantages, and with its defects, was the rapid removal of the refuse, which it was desirable to get rid of. Its defect was that the ultimate disposal of this refuse had never been satisfactorily provided for. The works constructed for drainage had had the effect of only partially remedying the one great evil, which required immediate treatment, at the expense of creating another, the consequences of which, though perhaps at some distant date, were nevertheless sure to ensue. No outlet for this large systematic sewerage had been considered, except into the nearest water, whether such water were the sea, a large river, a pond, or a canal with scarcely any flow of water through it. The result was that within a very few years after our improved sanitary arrangements have come into operation, it is found that the shores of watering places to which the public resorted for health and pleasure, were foul with every kind of abomination; and further, our water supply was tainted in many of its sources, fish were killed, and a large store of valuable manure was not only wasted, but converted into poison. The first matter which came before the Committee of last year, was the different plans suggested for dealing with the London sewage. The officials of the Metropolitan Board of Works, and many gentlemen scientifically and commercially interested in the question, were examined before the Committee, which collected a great amount of very valuable information on the subject; but, as might have been expected in a project so new and of such great extent, a great deal of this testimony was very conflicting. The question thus became complicated by references to some dealings entered into by the Board of Works with contracts and contractors, which were not the direct subjects of the inquiry. The Committee reported shortly as to that part of the inquiry, that more might have been done by the Board of Works towards the profitable disposal of the sewage of London; and they added the opinion that, even if a pecuniary benefit were not to be procured, such a consideration ought not to deter local authorities from taking all possible steps to utilize the sewage from towns and cities. He understood that the Board of Works was no longer open to the charge of being slow in taking means to abate this evil, inasmuch as they had provisionally accepted a tender for the disposal of the sewage upon a certain tract of land to be reclaimed from the sea, and the project was now before the Parliament for approval during the present Session. The plan had his best wishes as a great national experiment, the result of which may be a great national benefit. The Committee then inquired into the value of the sewage as an agricultural manure. On that subject, too, there was a variety of opinions. The result, however, was that in the opinion of some, the farmers would be safe in giving a halfpenny a ton for this matter. Other authorities, however, thought it was worth at least double that amount. The ratepayers naturally adopted the higher estimate, and were so well pleased to hear that the sewage of the metropolis was worth £2,000,000 a year that they were considering how they would expend that money. Experiments of all kinds had been made in different parts of the country to determine its agricultural value. He himself had made a small experiment, and though he had not tabulated the results in a sientific manner, he was well satisfied with them. The Committee were able to satisfy themselves as to the value of sewage, and to report that such undertakings as he had referred to might be made to result in a profit to those who embarked in them. If this can be realized the nation must gain by the increased productiveness of the soil; and it is to be hoped that a good percentage on his enlarged business will remain with the farmer. It had been supposed that landowners would object to the use of sewage upon their lands; but that apprehension had been removed by the public declaration of many proprietors that they would not object to the improvement of their lands by the use of sewage. The Committee next proceeded to consider the important question of the pollution of rivers, upon which they took much evidence. Upon this point the witnesses were unanimous; residents, inspectors of fisheries, doctors, all concurred, in the opinion that the watercourses were exposed to the greatest possible injury. The Committee reported according to that evidence, that the pollution of the watercourses by the deposit of sewage was most detrimental to the health of the inhabitants of towns and cities, and that it was highly necessary that such a practice should be discontinued. The Committee then consulted the lawyers for an explanation of the state of the law under which such an abuse could continue, but got little comfort from those gentlemen. They were told that there were many laws, beginning in very ancient times, and coming down to the last Health of Towns Act; but although these Acts provided remedies for nuisances, yet they were inoperative, because of the difficulty of putting them in force. The Committee summed up their labour by the expression of this opinion—

> "That whereas it had been decided that it was a nuisance in common law to discharge any sewage into rivers, nevertheless the law was inoperative from the want of powers to enforce it."

And they recommended the establishment of some authority with jurisdiction over the catchment basins of each river and its tributaries, with powers to make and to enforce regulations for the protection of the watercourses. The principle is already admitted in several Acts imposing penalties for injury to watercourses by manufacturing refuse or other noxious matters; but from defective machinery these Acts do not give the protection they promise. It was clear that the time had now arrived when Parliament should show itself disposed to legislate upon this subject, and to prove to those having the control over the construction of the sewage works that they could not be permitted to create a nuisance beyond their own boundaries. A great offender in this matter had recently been found at Windsor Castle, where a new and costly system of drainage had been constructed to pollute the Thames. It was to be regretted that the Office of Works had lost an excellent opportunity of setting a better example to the rest of the country by the construction of model works in this case, for imitation in other localities similarly situated. He hoped, however, that it was true, as had been stated, that local authorities were now convinced of the importance of this subject; and that when such an authority as the Committee had recommended should be established, its duty would be rather to assist than to coerce local bodies to adopt the best means of disposing of the sewage and of purifying the watercourses. Although he had no special knowledge upon this subject, yet he felt it was so important to the whole country that he hoped their Lordships would excuse him for having brought it under their notice. The noble Earl concluded by asking, Whether it is intended to take any steps to carry out the recommendations of the Committee of the House of Commons upon Metropolitan Sewage?

THE EARL OF ESSEX said, that having had considerable experience on the subject of sewage as applicable to land for agricultural purposes, he could not allow that opportunity to pass without expressing his satisfaction at seeing this most important question occupying the serious attention of Parliament, as well as that of the country at large. Not only in the metropolis, but in all of the great towns, large sums of money were expended in disposing of the sewage, some of them with the simple sanitary object of removing it, others with the more enlarged views of utilizing it. Looking at the subject in a sanitary point of view, he thought that if anything could be done to prevent our rivers and streams, which should be sources of health and pleasure, from further pollution, it would be a great public benefit. But, beyond that, if what had been a nuisance could be converted into a source of profit to the ratepayers and to the agriculturists an advantage beyond all calculation could be conferred upon the whole country. It had been ascertained by men eminent in science who had closely analyzed the sewage of towns that it contained all the elements necessary for the fertilization of land. That being a settled point, it became a mere engineering question as to what were the best means by which this valuable substance could be brought to and distributed over the land. He believed that if any of their Lordships having land in the neighbourhood of large towns could procure the sewage of those towns to be brought upon their land at a cost of 1*d*. per ton, neither they nor their tenants would have any cause to regret the outlay. It cost him about 1½*d*. per ton to obtain sewage, and he was well satisfied with the result of his operations during the last ten years. If the results were not so satisfactory as they ought to have been, it arose not from any inherent fault in the system, but because, like all pioneers, he had suffered from imperfect knowledge and want of experience. Those persons who would now adopt the system would have the benefit of all past experiments, and would avoid many of the disappointments which at first presented themselves. He had suffered at first because he had been under an erroneous impression as to the amount of sewage necessary to be applied to a given area of land. He had calculated that the amount of sewage at his disposal would be sufficient for 230 acres, but he had since found that the utmost he could obtain would only suffice for seventy-five acres. He would venture to say to all who might be disposed to enter upon this field of enterprise —avoid small dressings upon large areas —but on the contrary, hold to large dressings on small areas. The first system will entail, I think, heavy outlay and small returns, the latter a comparative small outlay with, I believe, abundant and satisfactory results. He was glad the subject had been brought under their Lordships' notice, and he was convinced the greatest benefits would accrue to the country from the general utilization of the sewage.

EARL GRANVILLE was understood to say, that their Lordships must have derived much pleasure from the speeches which had been delivered by the two noble Lords, who had directed not only theoretical but practical attention to the subject. His answer to the question of the noble Earl opposite would be a very simple one, for he was happy to say that the noble Lord who had presided over the Committee with great industry and ability in the other House (Lord Robert Montagu), was himself prepared to introduce a Bill upon the subject into Parliament. He was afraid that the House of Commons would hardly consent to the measure in its present form; but the Home Office was at this moment in communication with that noble Lord, and the result would, he hoped, lead to the framing of a Bill which would commend itself to the adoption of Parliament.

House adjourned at Six o'clock, till Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, February 24, 1865.

MINUTES.] — NEW MEMBER SWORN — Henry William Schneider, esquire, *for* Lancaster Borough.

SELECT COMMITTEE—On Valuation of Lands and Heritages (Scotland) *appointed;* Bankruptcy Act; Mr. K. Hodgson *disch.*, Mr. Dunlop *added.*

Ordered—Game (Ireland)*; Sheep, &c. Protection (Ireland)*.

First Reading—Affirmations (Scotland)* [40]; Writs Registration (Scotland)* [41]; Game (Ireland)* [42]; Sheep, &c Protection (Ireland)* [43].

Select Committee—On Courts of Justice Concentration (Site)* [11] *nominated;* Private Bill Costs* [7] *nominated.*

Committee—Bankruptcy and Insolvency (Ireland) Act Amendment* [34]; Felony and Misdemeanor Evidence and Practice* [21].

Report — Bankruptcy and Insolvency (Ireland) Act Amendment* [34]; Felony and Misdemeanor Evidence and Practice* [21].

LIVERPOOL LICENSING BILL.

(*by Order*)—SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. LAWSON, in rising to move the Amendment of which he had given notice,

> "That the granting of licences for the sale of intoxicating liquors is a subject which ought not at present to be dealt with by a private Bill,"

said, that it might be considered an extraordinary course to oppose a Private Bill, but the fact was, it was an extraordinary Bill. It was substantially the same measure which came before the House two years ago, when, although two Cabinet Ministers spoke, and eighteen Members of the Administration voted in its favour, it was rejected by a majority of sixteen—and he hoped a similar course would be pursued on the present occasion. Moreover, he did not see how it could be called a Private Bill, seeing that it dealt with the taxation of the country; and there were clauses which, as they provided for an increase of the rate to be paid for licences, could not, he thought, properly form part of a Private Bill; but as the Speaker had informed him that they must under any circumstances be considered by a Committee of the whole House, he would not press his objection upon that point. The promoters of the Bill were the Licensed Victuallers' Association of Liverpool, and they had in their speeches and in the papers which they had circulated declared that they had designed it as a means of checking the great drunkenness and consequent misery which at present existed in Liverpool, and prevailed among the middle and higher as well as the lower classes. They complained that the magistrates had granted in one year, at the last licensing session, 149, and in five years no less than 345 new licences, and, as a consequence, they alleged that drunkenness was more rife in Liverpool than in any other town in England. It had been stated that this measure carried out the recommendations of the Committee of that House, which was presided over by the present President of the Poor Law Board some twelve years ago; but that was not exactly the case. The provisions, which were in harmony with the recommendations of that Committee were, that there should be an uniform licence for all houses for the sale of intoxicating drinks, putting beerhouses and public-houses upon the same footing; that a person obtaining a licence should give a bond for his good behaviour; that the purchasers of drink at unlicensed houses, as well as the sellers, should be liable to punishment; that the fee for a licence should be raised to £30; and that the rights and privileges of existing licence holders should be saved for a period of fourteen years. These provisions had all been suggested by the Committee. The Committee, however, also recommended the appointment of special inspectors for public-houses, the closing for all but four hours on Sundays, and the closing of public-houses every night at eleven o'clock. No such provisions were included in this Bill, and therefore it came before the House as a very different plan from that recommended by the Committee of 1853. The Bill also contained a clause—which is entirely their own—providing that no licence should be granted to any house which was not rated to the poor at the amount of £50 a year —a regulation which, if carried out, he should be disposed to regard as beneficial. If that had been the whole of the measure he should not have opposed it, but it contained other provisions which were most objectionable and inadmissible. It took away the only protection which the people now had against the establishment of these houses. At present a discretion was vested in the magistrates as to the granting of licences to new houses, and that discretion the Bill took away. In addition to this, there was a most extraordinary clause, which he could best explain by reading a sentence from the pamphlet of Mr. Henry Booth, a Liverpool magistrate. The Bill proposed to exempt from its operation all existing public-houses for fourteen years; and, as the gross amount at present paid for licences was £30,000 a year, it followed that if the prices were doubled, existing public-houses would have an annual exemption to the amount of £30,000 a year. Mr. Booth called this "a conciliation bonus." Now he (Mr. Lawson) saw no reason why that House should vote a "conciliation bonus" of £30,000 a year to the licensed victuallers of Liverpool, more especially when it was remembered that there were among them 200 or 300 who, according to the statements of the licensed victuallers themselves, conducted their business in so disreputable a manner that they would not permit them to be members of their association. Let the Bill be as good as it might, however, he objected to a great public question being dealt with by a Private Bill. However unwilling that House might be to discuss the question of the regulation of the sale of intoxicating drinks, there was no doubt it was one in which people out of doors felt the greatest interest; and when he brought forward a measure upon the subject he did not introduce it as a Private Bill, but openly and frankly as a Public one. Would the House now establish the principle that any five or six men in any town who could scrape together £500 with which to hire barristers to explain their views might carry out in legislation any principles as to which they could satisfy a Committee of four upstairs? The hon. Member for Huddersfield (Mr. Leatham) accused the promoters of the Permissive Bill of acting unconstitutionally, and of attempting to deal with this sacred subject, the sale of drink, in a manner which was not in accordance with the custom of Parliament. What would he say to this Bill, by which it appeared to him that an attempt was being made to smuggle a great public question through the House by means of a private measure? He hoped that the House would not be induced, either by the respect which was due to the two hon. Gentlemen who had charge of the Bill, or even by the influence of the Government, if they should be so unwise as to exert it, to read the Bill a second time. In conclusion, he begged to move that "the granting of licences for the sale of intoxicating liquors is a subject which ought not at present to be dealt with by any Private Bill."

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "the granting of Licences for the sale of intoxicating liquors is a subject which ought not at present to be dealt with by any Private Bill,"—(*Mr. Lawson,*)

—instead thereof.

Motion made, and Question proposed, "That the words proposed to be left out stand part of the Question."

MR. HORSFALL said, that he was surprised that the hon. Member for Carlisle (Mr. Lawson) should have taken this course. Last year that hon. Gentleman himself introduced a measure called the Permissive Bill, by which he intended to check intemperance, and now when another Bill was brought in having the same object, but not adopting his machinery, he thought it right to oppose it. The Bill was substantially the same as that of 1863, but it was a mistake to say it was supported solely by the licensed victuallers of Liverpool. Petitions in its favour had been presented from the magistrates, town-council, and select vestry of Liverpool, the Board of Guardians of the West Derby Union (the largest Union in England), and the Toxteth Park Board of Guardians. The only provisions of the Bill which were not to be found in the Bill of 1863 were the clauses whose object was to check the licensing of public-houses in neighbourhoods where they were not wanted, by fixing a ratable value to houses below which licences should not be given, which fixed the licence at the increased sum of £30 a year, and made it uniform for all houses, thus abolishing the distinction between public-houses and beershops; while, as had been stated, it carried out as many as seven of the recommendations of the Committee of 1853. There was no town in the kingdom in which greater efforts had been made to provide for the recreation and the moral and social improvement of the people than in Liverpool, and yet, notwithstanding that, there was no other town in which intemperance prevailed to so great an extent. It appeared from the Report of the Chief Constable of Police that the number of cases of drunkenness in Liverpool were in the year 1861, 9,834; in 1862, 12,076; in 1863, 13,912; and in 1864, 14,002. Adding the cases of assault arising from drunkenness the number would be 17,265; and of 27,000 cases of drunkenness in Lancashire, as nearly as possible one-half occurred in Liverpool. It might be said that the presence of sailors accounted for the excess; but compared with other seaports, that town showed equally unfavourably. It had been stated in print that there were in Liverpool, in proportion to the population, six times as many cases of drunkenness as in Hull, seven times as many as in London, and fourteen times as many as in Bristol. He doubted whether that statement would be borne out by facts; but he was convinced that there was three or four times as much drunkenness in Liverpool as in any other town in the kingdom. Moreover, Dr. Buchanan, who was last year sent by the Government to inquire into an epidemic which was raging in Liverpool, reported that intemperance was one of its main causes; and Mr. Nugent, the Roman Catholic chaplain of the gaol, traced the crimes of seven-tenths of the prisoners to the same source. He had no hesitation in saying that a great portion of this state of things arose from the system of unrestricted licensing. It was easy to blame the magistrates; but hon. Members must remember that in great towns there was a large body of magistrates, and it could not be expected that they should all entertain the same views upon this subject. Some of them were favourable to granting licences, others were opposed to it; and the consequence was that there was the greatest discrepancy in the number of licences granted in each Session. In the year 1861, when those who desired to restrict licences were in a majority, only twenty-eight licences were granted; but next year a superior number of the other side were present, and they granted 124 licences. In the following year, when the friends of the restricting system were again in the majority, only thirty-six licences were given; but last year, when the other section prevailed, the number rose to 147. It could not be said that the magistrates did not punish with sufficient severity the offences of persons who held licences. In 1861, 363 penalties were inflicted, amounting to £213; in 1862, 383, amounting to £268; in 1863, 397, amounting to £506; and in 1864, 600, amounting to £957. Was there not a case for legislation, and what were the objections urged against it? They were told by the hon. Gentleman that legislation ought to be by an Imperial and not by a local measure. But how long were they to wait for this Imperial legislation? It was now ten years since the

Committee made its Report, and no action had been taken upon it. The opposition to this Bill proceeded from the licensed victuallers of London, and at the conference at Derby the representatives of that body objected not to local legislation, but to any legislation at all. He earnestly appealed to the House not to reject this measure, but to allow it to go before a Committee, by whom every clause might be considered and reported upon to that House.

Mr. W. E. FORSTER said, that he should vote against the second reading of this Bill, not because it was opposed by the licensed vituallers of London, but because two public principles of immense importance were involved in it—the abolition of the discretion of magistrates in granting licences and putting all licences upon the same footing; and it would be impossible for the House to apply such principles to Liverpool without feeling itself pledged to extend them to the whole country. If the changes proposed were good for Liverpool they were good for the rest of the country, and therefore he thought the House ought not to acquiesce in the present measure. At the same time he must admit that the hon. Gentleman's (Mr. Horsfall's) constituents had much reason to complain of the Government for neglecting to legislate on the subject. That the measure presented two years ago was supported from the Treasury Bench and was rejected by the House, not upon its merits, but because they could not pass such a Bill for a particular town, was a very strong reason why the Government should have kept their promises and brought in a general licensing Bill, and he could not conceive why that had not been done. The right hon. Gentleman the Secretary of State for the Home Department was ready with a Bill, but afterwards declined to produce it. That refusal could not have been occasioned by the merits of the licensing question, but must have rested upon other grounds. Acting in obedience to the feelings of the country might be carried too far, and a Ministry might forget their duty in considering whether Bills would be acceptable. The Cabinet ought not to have been deterred by any electioneering considerations from introducing a general licensing measure, and if they had adopted that course the wants of the great towns would have been met, and it would not have been necessary for Liverpool now to ask for what could not be conceded.

Sir GEORGE GREY said, that when the Bill was before the House two years ago he supported it, and he intended to take the same course on the present occasion. The Bill, in his opinion, was founded upon right principles. It was founded mainly upon the principles recommended by the Committee which sat some years ago, and of which the President of the Poor Law Board was the Chairman, namely, that of placing the licences to all houses for the sale of intoxicating liquors on the same footing, taking away the discretionary power of magistrates, and substituting other regulations and conditions which might be more effectual in preventing the evils that now existed. His hon. Friend who had moved the Amendment however, objected that this was introduced as a Private Bill, and not as a general measure—that it applied to Liverpool and not to every other part of the country. No doubt some inconvenience might arise from bringing this forward as a Private Bill; but he would remind hon. Members of the peculiar circumstances of Liverpool. There the magistrates had, for several years past, adopted a course of action which they had a right to pursue, because the law had vested in them a discretion in the matter, and finding it impossible to constitute themselves judges of the wants of a particular neighbourhood, in regard to the opening of public-houses in the case of such an immense community as that with which they had to deal, granted licences in all cases where they were satisfied that the applicant was not a man of bad character. The result had been an enormous increase in the number of public-houses in Liverpool—attended, no doubt, with some decrease in the number of beerhouses, because, when public-house licences were so easily obtainable, there was not the same motive for applying for the beerhouse licence, and there had been, there was no doubt, a great increase of drunkenness. No doubt there were peculiar circumstances in a seaport town which led to a great amount of drunkenness, but still that was not sufficient to account for the great increase of it in Liverpool. There was nearly absolute unanimity on the part of the great public bodies of the town in desiring that the Bill should pass. Was the House, then, prepared to refuse those who brought the Bill forward the opportunity of going to a Committee to establish their case? With reference to what the hon. Member for Bradford (Mr. Forster) had said about a general Bill not having been brought forward, he (Sir George Grey) could only say he was desirous of dealing with the question; but he would appeal to the hon. Member for Carlisle, who was as sincere as any man in that House in his desire to check drunkenness, whether he was promoting the object he had in view by obstructing a measure in its progress through the House, which proposed to place a local check on intemperance, and might lead to a general Bill, because it was not exactly according to his own views. The influence of the licensed victuallers throughout the country was very powerful; and he need only to refer to what took place at Derby to show their determination to oppose a general measure of this kind. He had ascertained that under present circumstances, when it was not likely that the influence of licensed victuallers would be less powerful than formerly, it would be impossible to propose a general Bill of this nature with any prospect of success. He supported the Bill because he believed it would lead to a general measure.

MR. ROEBUCK said, it was not his intention to endeavour to defend the consistency of the hon. Member for Carlisle, or to attack the Bill, but he was really going to put it to the Home Secretary whether he was doing his duty? This was really a Public Bill—let them remember that—and it was supported by the right hon. Gentleman because he fancied that by it he would get in the thin end of the wedge, and that by and by he would be able to carry out generally the principles of the Bill. What were those principles? The Legislature had thought fit to put a certain class of dealers under the *surveillance* of the magistrates—for that was the real situation of the licensed victuallers in this country. The right hon. gentleman believed that in one town that *surveillance* had not been effective, and therefore he wanted to alter the general law of the land. But any alteration of the general law of the land ought to be made by the House of Commons. Recollect what they were about to do. They were about to make an alteration of the general law of the land by means of four Members of the House of Commons. Now that appeared to him to be a dastardly mode of proceeding—and he distinctly accused the right hon. Gentleman of a deriliction of duty. It was the duty of the Home Secretary, if the principle of this Bill were right, and if he thought it should be a Public Bill, to have brought forward a proposition to that effect without reference to the notion that it was likely to be defeated by the licensed victuallers! Imagine a Secretary of State saying that, he was likely to be defeated by the licensed victuallers! Then there was the Chancellor of the Exchequer. He (Mr. Roebuck) had been waited upon by persons *pro* and *con* with reference to this Bill, and had heard mysterious whispers about the effect of the influences that had been brought to bear upon the right hon. Gentleman. But the right hon. Gentleman was an honest man, who did not pretend to have any connection with either the licensed victuallers or the magistrates of Liverpool. The object of the Chancellor of the Exchequer was to govern the country as it should be governed, and he appealed to the right hon. Gentleman as well as to the Home Secretary, whether, this being a Public Bill, it was for the interests of the country that its object should be accomplished through private legislation. They could sum up one, two, and three, and take the result; but it required a man of thought and power to draw general conclusions from particular instances. He appealed to the Chancellor of the Exchequer to say whether he was unable to draw a general conclusion from these individual instances of pressure upon the magistrates; because this was really the work of the magistrates of Liverpool. In their petition these gentlemen in fact confirmed their inability to perform the duty which the general law of the land imposed upon them. In that case it was the duty of the Government to bring in a general law. Nothing was more dangerous to the whole country than this piecemeal legislation. The present Session had been distinguished by legislation of this sort. He supposed it was thought that the Parliament was dying, and that it was right to impose upon it duties which could not be imposed upon it in its youth. He was an old man both in fact, and Parliamentarily speaking; but if he were a young man to-morrow, he would oppose anything like an attempt to make the House of Commons, by private legislation, do that which ought to be done by general action. Therefore he appealed to the House and to the Treasury Bench whether they were not doing anything but their duty in allowing a Private Bill to take the position of a public measure, and he appealed also to the Speaker whether this was not really a Public Bill smuggled in under the name of a Private Bill.

MR. NEWDEGATE said, that having supported the object of the hon. Members for Liverpool last Session, he regretted that he could not support them on the present occasion. No one was more conscious than he was of the evils which oppressed Liverpool. It was in evidence before a Committee that in two large towns, Liverpool and Wolverhampton, a system of free trade in licensing had been tried. He was a Member for an inland county, and he knew that the system had been attended with the same evils in Wolverhampton as in Liverpool. He regretted that he could not support this Bill because he saw clearly that in doing so, according to the opinion of the Home Secretary, he should be striking a blow at the principle of local self-government which had been found effectual in every place except those two. The remedy sought by his hon. Friend by this Bill rested with the magistrates of Liverpool, who seemed to be wanting in earnestness. Let the magistrates of Liverpool adopt a system of subdivision of districts ; let them combine and organize as the magistrates in Middlesex and other counties did, and he believed they would find that the remedy was in their own hands.

Lord STANLEY said, he felt very strongly the objection urged against the Bill on the ground that it proposed to introduce a law for Liverpool different from that which prevailed elsewhere. In the position, however, in which Liverpool was placed, its inhabitants had only a choice of difficulties. He should support the second reading of the Bill on two grounds—first, because it was supported by a very large majority of all classes within the town itself ; and secondly, because he knew enough of this question to feel that it was impossible things could go on there in the way in which they had been doing for the last few years. They had, in fact, come to a dead lock. There was one party—he believed a majority—among the magistracy which held that all licences ought to be granted or withheld without reference to anything but the character of the person applying. There was, however, a considerable minority holding a contrary opinion ; and accordingly when a licensing session was held it was mere chance whether the principle of restriction or that of free trade was acted on. Both sides were in earnest —neither would give way. He had known cases where appeals were rejected upon one day by a majority of magistrates who were in favour of the principle of restriction, and on the very next day, the majority being the other way, every appeal was granted, the cases being precisely identical with those rejected on the former occasion. That was a state of things not only unsatisfactory, but absolutely discreditable, and it was one for which, while the present law continued, he saw no remedy. It was a mere toss up whether the licence was obtained or not. Supported as the proposition for a change was by the opinion of the people of Liverpool, he did not think the Bill could be correctly described as an infringement of local self-government. He might be of those who desired that a general measure on the subject should be brought in and carried ; but, as a measure had not been brought in, it became a question whether what could not be done over the whole country might not be done in one part of it experimentally. A great deal of drunkenness undoubtedly existed in Liverpool ; but that had not any necessary connection with the principle on which licences were granted. Liverpool possessed an immense seafaring population, and every one knew what sailors were on shore. In Liverpool, also, there were above 100,000 Irish labourers, who, for the first time probably in their lives, found themselves in receipt of high wages, and among whom, therefore, it was natural that a more than ordinary degree of intoxication should prevail. In agreeing to the Bill in its present shape he would remind the House that they were not adopting it finally ; they would have another opportunity of considering it when it came from the Committee ; and all they were asked at present to do was to say that a sufficient *primâ facie* case had been made out.

Mr. AYRTON said, the reasons assigned by the noble Lord were valid reasons for making changes in the commission of the peace in Liverpool, but not for passing or rejecting the Bill. As an appeal had been made to the Speaker for his opinion, he should like to put before him this view also. This was a Bill affecting the Ways and Means of the year, for it proposed to alter the revenue payable into the Exchequer, and to impose a new tax on certain persons in Liverpool, raising their contributions from £3 14*s*. to £30. Now, he should like to know whether a Bill of this nature could be brought in by private Members? If so our finances would be in a very extraordinary position, because every Member would have a right to introduce measures affecting the taxation of the boroughs they represented. Now, whatever might be the ruling on the point of practice, the

House, he felt assured, would never allow taxation to be regulated purely according to the wishes of certain persons speaking through a Member of that House. He protested against the assumption that in opposing the present Bill he was in any way open to the suspicion of being influenced by feelings such as had been suggested. The course he had always taken in that House showed that he was not likely to be swayed by any influence which the publicans could bring to bear. He particularly wished to call attention to the extraordinary position assumed by the right hon. Gentleman the Secretary of State for the Home Department. It was true that a Report was made some years ago on the subject of licensing; but that Report had never been discussed, and there had never been any opportunity for the House to confirm or to reject its principle. Was a subject of such great importance to be passed over by a side wind, and were they blindly to adopt the whole policy shadowed out in that document? It was impossible, he maintained, to uphold the principle on which that Report was based, for it proceeded on the absurd proposition that because a man paid £30 he would take out a licence. He would pay the £30 as a matter of course — it was only so much more water put into the beer—and the tax would not affect either the number of houses or the property covered by the licences. It would, however, aggravate the present system, because men would take measures to indemnify themselves for the demands of the Government, at whose door they would lay the blame of all these irregularities. He objected to allow so great a question to be disposed of in the manner now proposed, for the benefit or convenience of any Secretary of State.

MR. SPEAKER: In answer to the appeal made to me on a point of form, I have to say that this Bill was brought in in the ordinary manner upon petition—whether for the benefit of a community or of an individual is the same in principle. I must, of course, draw a distinction between the form of the Bill and the subject-matter of the Bill before the House. It does not appear to me that there is anything contrary to form in the manner in which this Bill has been introduced. But the question whether the subject-matter of the Bill is proper for a Private Bill is the point now under the consideration of the House, and it is for the House, and not for myself, to give an answer on that point.

MR. PACKE said, this was the first instance in his recollection in which it was sought to pass as a Private Bill a measure affecting the public interests of an entire community.

MR. WALPOLE said, that if this Bill had really been brought forward as a public measure the arguments in its favour would have been quite conclusive. But though this was brought in as a Private Bill, it involved one of the gravest matters the House had to consider — whether they would allow it to be proceeded with in that form, seeing that it involved important public considerations. He recollected perfectly well that when the Manchester Education Bill was before the House he took exception to its appearing in the form of a Private Bill, because, though it might be so introduced, it involved matters of such important public consideration that he thought the House should have an opportunity of dealing with it publicly. And the House agreed with him in that view. The principles of that Bill were attempted to be introduced afterwards in a public measure; but the House rejected them. But that was not all. The present measure, as the hon. Member for the Tower Hamlets (Mr. Ayrton) had pointed out, involved a question which, if admitted, would affect the whole constitutional functions of the House of Commons—the principle that this House has the control of the taxation and expenditure of public money. Those matters were considered of such moment that they were required to be introduced in a Committee of the Whole House. But if they were to have questions of that nature introduced in a Private Bill and sent upstairs to a Committee of four Members, those four Members would be deciding a question which involved important financial considerations. When any matter was referred to a Select Committee, and the Members were unanimous, when it was supported by a majority, the decision of the Committee was generally supported by the House. But if the present Bill, or any measure of a similar kind, were sent to a Committee, and if the four best and most experienced Members of the House could be picked out and charged with the consideration of the Bill, it would still be necessary when it came down from them to discuss its provisions as a public measure; and thus the feeling of the House would be brought to bear upon the very considerations that it was now sought to withdraw from their cognizance. For the purpose of preserving the proper action of that House with reference to matters of great public policy, he hoped the Bill would not be allowed to proceed.

THE CHANCELLOR OF THE EXCHEQUER said, he wished, in reference to the constitutional question which had been raised, to state exactly how the matter stood in reference to the Exchequer. The Bill, as submitted, contained no clause whatever relating to taxation. ["Oh!"] That was the fact. It certainly did contain a clause in italics, which was an indication of what the promoters intended to ask for; but that clause the Committee on the Bill would have no power to adopt until the measure had passed through a Committee of the Whole House. The prerogative of the House as to local taxation would, therefore, be preserved entire. It was a matter of frequent occurrence that taxes, particularly those imposed by stamps, were of necessity dealt with by Private Bills, and they were dealt with under cover of a special authority given by Committee of the Whole House. That removed the objection of the hon. Member for the Tower Hamlets (Mr. Ayrton). Then, as to the objection taken by the right hon. Gentleman (Mr. Walpole) that the House was now dealing with a matter of public policy, and one which ought not to be dealt with by a Private Bill—he would say that all questions, in a certain sense, were matters of public policy. In the case of the Manchester and Salford Education Bill, to which the right hon. Gentleman had referred, the House was asked to deal with matters of the very highest policy in a Private Bill, and it was then held to be utterly impossible to deal with it without prejudging the case for the whole country. ["Hear!"] But was that the case in regard to the present Bill. ["Hear!"] He heard strong cheers, not exclusively, but specially from that quarter of the House which was so powerfully manned by metropolitan Members. There was no question at all that the House often treated questions of police on different grounds from questions of public policy. They dealt experimentally with questions of police in particular places. If those experiments were not successful, the Legislature was not bound to recognize and adopt them for the country at large. These matters of police were regulations bearing upon the morality of the community, and yet they were not deemed unfit to be dealt with by a Private Bill. He did not say that there were not objections to this Bill, which had been stated with fairness by the noble Lord (Lord Stanley). It was a balance of difficulty. Supposing that the Government had neglected its duty—which he did not admit—was that a reason why this great local evil and mischief should continue? It was a great evil and mischief as regarded the publicans of Liverpool, who were suffering under the injurious consequences of the two systems; for on the one hand, they were all liable to be flooded by new competition; and on the other hand, there was none of that permanent change of the system that would enable them to purchase the heavy good-will they were obliged to pay on assuming these businesses. Who were the best judges in this matter? Surely the local authorities. The town counsel, the majority of the borough magistrates, the vestry, the guardians of the West Derby Union, which included one part of Liverpool, and the guardians of the Toxteth Park Union, which represented the other, were in favour of this Bill. Why had all these parties come into the field? Not because they had entered into the abstract principles on which the licensing system should be dealt with; but because they saw the grossly injurious moral and social consequences arising from the present state of things, and, seeing their way to a remedy, they asked the House to adopt the present measure. He thought that the balance of practical considerations was in favour of sending the Bill to a Committee, and he should therefore vote for the second reading.

MR. GATHORNE HARDY said, that the objection taken by his right hon. Friend (Mr. Walpole) as to the public revenue was answered by the Chancellor of the Exchequer, who had no doubt truly said the Committee would have no power to consider the clause printed in italics, and that this must be submitted to the House. But that clause was the main foundation of the Bill. In the reasons given by the promoters of the Bill, the addition to the public revenue by the high duties imposed was the very ground on which they rested their claims; and was the House to send this Bill to a Committee of four Gentlemen who were to have no power to discuss the foundation of the Bill? When the Bill came down again, of course the whole discussion must be renewed. The principle of this measure had been fully discussed on a former occasion. He could not agree that the Government were not in fault in not bringing in a public measure on the subject. In 1857 a promise was held out by the right hon. Gentleman the Secretary of State for the Home Department that he would consider the question in the then ensuing recess. In 1859 the right hon. Gentleman was again in office in company with the President of the Poor Law Board, who was Chairman of the Committee of 1854, and he had now been in office six years without attempting to do any thing, although two years ago he said that a Bill was ready. The House was now told two things—that Liverpool was an exceptional case, and next that Liverpool was to be made an example to the whole country. With respect to Liverpool, it appeared to him that it was nothing but the conduct of the magistrates that had brought about the necessity of some legislation. Tell him that the magistrates had no power to exercise discretion in granting licences! There were in Liverpool 1,800 public-houses, while there were less than 500 in Manchester. There were also 900 beerhouses in Liverpool; so that there was a drinking-house in Liverpool for every forty of the male inhabitants above fifteen. The magistrates must have known they were over-doing it, and yet they asked the House to pass a Bill for fourteen years which would leave matters in the present state, and would condone everything the magistrates had done. Even now they had power to take away some of the licences. He would admit that the licensing system throughout the country had got into such a condition that Parliament ought to interfere, but it ought not to legislate by a side wind. Let the House have the whole question before it. He agreed with his noble Friend (Lord Stanley) that there were objections to the present system of licensing, but the true remedy was not to be found in this Bill. There would be neither example nor advantage in perpetuating an evil which the magistrates of Liverpool had even now the power of remedying.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Words *added.* Main Question, as amended, put, and *agreed to.*

Resolved, That the granting of Licences for the sale of intoxicating liquors is a subject which ought not at present to be dealt with by any Private Bill.

INDIA—NAVIGATION OF THE GODAVERY—QUESTION

MR. SMOLLETT asked the Secretary of State for India, Whether any Despatches have recently been received regarding the works proposed for opening up the navigation of the river Godavery; and if he will lay the same upon the table of the House? And whether a flotilla on the Godavery was now maintained at the expense of the State; and whether the Government of India was still resolved to persevere in carrying out the projects of the local engineers, and at what estimated cost?

SIR CHARLES WOOD said, that two Despatches had been received in the course of last year regarding the works proposed for opening up the navigation of the river Godavery, and he should have no objection to lay them upon the table of the House. With reference to the second part of the hon. Gentleman's question, he might state that four steamers were at all times maintained and employed on the Godavery for the purpose of carrying stores up and down the river.

THE RIVER PLATE—BRAZIL AND URUGUAY.—QUESTION.

MR. MAGUIRE asked the Under Secretary for Foreign Affairs, Whether he has received any information as to the Government of the Republic of Uruguay having sent Commissioners to Paris to solicit the protection of the Emperor of the French against the Brazilian troops now besieging Monte Video; whether any similar aid has been asked from Her Majesty's Government; and, whether Her Majesty's Government has received any information by the French packet as to the condition of affairs in the river Plate, especially in reference to the threatened blockade of Monte Video, and the action, if any, taken by the *Corps Diplomatique* at Monte Video respecting such menace?

MR. LAYARD said, with regard to the first part of the hon. Gentleman's question, Her Majesty's Government had received information that the Government of the Emperor of the French had been requested to mediate between the Governments of Monte Video and Brazil. No such request had been made of Her Majesty's Government. With regard to the third part of the question, Her Majesty's Government had been informed that the city of Paysandu, after a gallant resistance, had fallen into the hands of the combined armies; that

General Gomez and his principal officers had surrendered; and that the General was shot down in cold blood. The combined armies under Flores had advanced on Monte Video, but no information had been received that the place had been attacked. Instructions had been sent out to our Consul to afford all possible protection to life and property. There was no intention on our part to take any share in the contest.

RATING OF MINES AND TIMBER.

QUESTION.

Mr. LYALL asked the President of the Poor Law Board, Whether he would bring in a Bill this Session for the rating of all Mines and Timber?

Mr. C. P. VILLIERS said, that he did not intend at present to propose any legislation on the subject. He had, indeed, received a request from the Chairman of the Commission appointed to inquire into the condition of the people working in metal mines, requesting that he (Mr. C. P. Villiers) would propose no legislation on the subject until the information to be contained in their Report was before the House. There was perhaps less necessity for haste in legislation on this matter, as he understood that since the passing of the Union Assessment Act there had arisen so much dissatisfaction at the early decision that had rendered mines and timber exempt from rates, that it was not unlikely that the question would be brought again before the Courts. The exemption did not exist either in Scotland or Ireland. He did not see why collieries should be rated and other mines exempted.

CAPTAIN SAYER'S LIFEBOAT.

QUESTION.

Sir JOHN HAY asked the Secretary to the Admiralty, Whether it is the intention of the Admiralty to give any further trial to Captain Sayer's Lifeboat, which seems a valuable invention for saving life?

Lord CLARENCE PAGET said, that the Admiralty had fully considered the merits of Captain Sayer's lifeboat, which was undoubtedly a very ingenious invention, and might possibly be hereafter useful in time of war; but it was not thought necessary at present to proceed with any further experiments.

Mr. Layard

THE BALLOT.—QUESTION.

Mr. BERKELEY asked the Home Secretary, Whether it is the intention of the Government to bring forward, this Session, any stringent and decisive measure for the prevention of corruption and the protection of Electors at Parliamentary Elections?

Sir GEORGE GREY said, the Government did not intend to propose a Bill upon that subject during the present Session.

Mr. BERKELEY gave notice that he should, in that case, propose a Resolution for the purpose of giving protection to voters at Parliamentary Elections in the shape of a Ballot Bill.

IRELAND—RIVER SHANNON.

QUESTION.

Colonel FRENCH asked the Secretary to the Treasury, When he will be prepared to state what steps Government mean to take in consequence of Mr. Bateman's Report of the River Shannon?

Mr. PEEL said, the Question was one of considerable importance, the object being to determine whether the Government would execute at the public cost works in the Shannon which would prevent the river from overflowing. It was contended that it was the duty of the Government to execute those works in consequence of the works executed for improving the navigation some twenty years ago not having succeeded in preventing the flooding of the river. Although the Shannon Commissioners had made a series of Reports between the years 1840 and 1848, and they had Mr. Bateman's report showing at what cost the works could be executed, the Government were still without information on this important point—what would be the improvement to the land of private owners, supposing that the overflowing were prevented. He (Mr. Peel) hoped in the course of a fortnight to be able to state what course the Treasury would take on this subject.

UNITED STATES—PASSPORT SYSTEM.

QUESTION.

Mr. WATKIN asked the Secretary of State for the Colonies, Whether any and what representations have been made to or received from the Government of or the Ambassador from the United States, in reference to the Passport System, and the other regulations tending to non-intercourse, introduced by order of Mr. Seward, on the Canadian Frontier, and which regulations were still being enforced at the date of the last advices from America?

MR. CARDWELL said, the Question might more properly be addressed to his hon. Friend the Under Secretary of State for Foreign Affairs, but he was ready to answer it. The regulations in question bore date December 17. They were issued, no doubt, in view of the alarm in America at the measures taken by the enemies of the United States on the Canadian frontier. These regulations had entailed great inconvenience both on the citizens of the United States and on the subjects of Her Majesty. Her Majesty's Government hoped that when the mischief ceased the remedy which had been applied would cease also. No official representations had yet been made, as it had not yet been thought expedient to make them.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

STATE OF IRELAND.

RESOLUTION.

MR. HENNESSY rose to move the Amendment of which he had given notice—

> "That this House observes with regret the decline of the population of Ireland, and will readily support Her Majesty's Government in any well devised measure to stimulate the profitable employment of the people: and that an Address to the Crown be proposed, founded on the foregoing Resolution."

And said, that during the recess the Chancellor of the Exchequer made a speech on public affairs, in the course of which he said that the condition of Ireland was deplorable; and the right hon. Gentleman had been corroborated during the present Session by two English Gentlemen who had visited Ireland during the recess, the hon. Members for Chippenham (Mr. Long) and for Poole (Mr. Henry Seymour), the former of whom said he was horrified at its condition, while the latter said the state of Ireland was a disgrace to the British Government. The time, he thought, had now come for inquiry to what extent Ireland was really a part of the United Kingdom. Sixty-four years ago, Mr. Pitt expressed his opinion that an united kingdom was a kingdom united in laws, in interests, and in prosperity, and that shared the same social and commercial progress. Was that a description of Ireland and Great Britain? Did Ireland share the prosperity of Great Britain? Before saying anything as to the prosperity of Ireland or her want of prosperity, he would point out certain other differences between the two countries; and firstly, as to legislation. This was called an united Parliament, but what had it been doing since the Union? It had passed since the Union more Acts relating to Ireland alone than were passed by the Parliament of Ireland in the sixty-four years before the Union. At this moment nearly one half of the Government Bills which appeared on the Order Book of the House related to Ireland exclusively, and a large number of the rest to Great Britain exclusively. Not many evenings back, the President of the Poor Law Board brought in a Bill which was not to apply to Ireland, while the Chief Secretary for Ireland brought in a Bill which was to apply to Ireland only. In respect of legislation, then, the United Kingdom did not fulfil the conditions which eminent statesmen at the time of the Union thought was necessary. It was not merely that the Acts of Parliament relating to Ireland and England differed — they differed in their very essence. When Lord John Russell brought in his Poor Law Bill for Ireland, he said it was founded on a principle diametrically the reverse of that contained in the English Poor Law Bill. When the Minister for Education proposed a scheme, he said, "In Ireland, the principle of public instruction is directly the reverse of what prevails here." So it was in almost everything else—one principle and one law prevailing in England, and in Ireland a different principle and a different law. Take the question of the tenure of land—there was one law in England, another law in Ireland. In describing the different systems which prevailed in the two countries, Lord Derby said—

> "Could it be denied that upon a vast space of the surface of Ireland there was immense room for improvement to be effected by labour, and that there was a vast amount of superabundant labour seeking for and desirous of employment, but the employment of which was checked because there was no certainty of a return for the laying out of capital? In England the right of the tenant was secured not only by law but by the custom of the country, which was equivalent to law; that right was capable of being pleaded in a court of law, and compensation was awarded for improvements, made not only without the

consent of the landlord, but if made without asking his leave for a single one of them."

Judge Longfield, through whose hands one-third of the whole property of Ireland had passed, speaking in the presence of the Lord Lieutenant, the Chief Secretary, and the Lord Chancellor, suggested that this difference of usage should be remedied by a legislative enactment, and he proposed a scheme precisely similar to one put into his (Mr. Hennessy's) hands by the Westmeath Farmers' Club, and which he put before the House in 1860. If, said Judge Longfield, the landlord refused to enter into a contract for allowing compensation—

> "In such cases the tenant ought not to be without a remedy. He ought to have a right to summon the landlord before the court of quarter sessions, and there get an order for liberty to make the improvements, unless the landlord showed good cause to the contrary. It is not likely that this resort to legal proceedings would often be necessary. The existence of the right would prevent the necessity of its exercise."

There were two other differences existing between the two countries which, at first sight, seemed to tell in favour of Ireland. The first was that when properly drained the soil of Ireland was absolutely more fertile than that of Great Britain. The late Mr. M'Culloch, Professor Lowe, and Professor Johnstone were all of this opinion; and Sir Robet Kane, Director of the Museum of Irish Industry, and a high authority on the industrial resources of his country, confirmed it, giving various calculations made by various authorities, the result being that, taking the mean value of an acre of land in England at 16, it was 14 in Scotland, and in Ireland 17½. These calculations presupposed in each case an equal amount of drainage. Again, the second difference was this, that not only was the soil of Ireland more fertile than that of Great Britain, but the labouring population of Ireland possessed physical qualities greater than those of a similar class in England and Scotland. Professor Forbes, of Edinburgh, corroborated the statement of Professor Quetelet, of Brussels, who, as the result of a long series of experiments, found that the average strength in pounds of an Englishman was 403lb.; of a Scotchman, 423lb.; and of an Irishman, 432lb. Another high authority, Mr. Field, of London, arrived substantially at the same conclusion. Physically, therefore, Ireland seemed to have certain natural advantages over England; but she had also several disadvantages. The first was that the mining wealth of England was abnormally great, while that of Ireland was abnormally small. Another difference was in the physical geography and climate of the two countries, which had much influence on the agriculture. In Great Britain the land in the centre of the island was elevated. In Ireland, on the other hand, the mountain ranges were round the coast, the central regions were remarkably flat, and Ireland had to rely for drainage on the Shannon and other great rivers. In Ireland arterial drainage was a vital question. There were, then, many differences between Great Britain and Ireland; and the difference he had just adverted to was well worthy of the attention of the Government. While it appeared on the most unquestionable authority that the material prosperity of Ireland had of late years been continually decreasing, and while they were told by two English Members that the state of Ireland was disgraceful to the British Government, they heard from the Chief Secretary for Ireland what he might call the old story that Ireland presented symptoms of great improvement and prosperity. Since the first night of the Session a speech had been delivered in Ireland to a few facts in which he would now call attention. It was a speech delivered on the 11th of the present month, at the half-yearly meeting of the Great Southern and Western Railway—the great trunk railway of that country. The chairman explained how it happened that the dividends of that railway, which went from Dublin to Cork, and constituted a great index of the prosperity or want of prosperity of Ireland, had fallen. He said—

> "I shall not, however, attempt to conceal from you the great disappointment that I feel as to the state of our traffic—especially for some months past. I fully calculated that after two good harvests had been secured in succession we might reasonably have expected some reaction from the dreadful state of depression under which this company has now laboured for five years back; but, on the contrary, since October last our traffic has rather diminished. I find by reference to official documents in the Audit Office that we have lost in goods during the last six months, compared with the corresponding period of 1863, not less than 8,342 tons of goods. In cattle we lost 9,217 head, and in sheep 12,132 head. Now, taking those different items at the rates which we receive for their conveyance—namely, 8*s.* 5½*d.* per ton for goods, 3*s.* per head for cattle, and 1*s.* per head for sheep—they will amount for the half year to the sum of £5,500. If you compare 1864 with 1863, and take the same data, the loss to which we have been subject under these different heads is £9,800. If you compare 1864 with 1862, the loss will be not less than £21,600, or considerably more than one-half per cent of your dividend.

We lost 40,000 tons of goods in the last two years. I will now bring some facts before you connected with cattle, which I think you will say, when you have heard them, are not only of very great importance to this company, but also to the country at large. The decrease in our cattle traffic for the last six months—when I speak of cattle I mean oxen, horned cattle—has been 21 per cent. and in sheep the decrease has been 17 per cent."

Such was the statement of the chairman of the principal railway company in Ireland, and in their report the directors stated their regret that the expectations of increased prosperity, which they calculated on in their last report, had not been realized ; the traffic had diminished, and they were unable to offer a satisfactory solution of that lamentable result ; but they believed a similar diminution had been experienced in all other Irish railways. It might, perhaps, be said that, though railway traffic had declined, traffic in Ireland had increased in another direction. But the returns of the City of Dublin Steam Packet Company, the steam company connected with the Chester and Holyhead line, and the Cork Steamship Company, and of the Great Canal which ran from Dublin to the centre of Ireland, told the same story. With regard to the steampackets, the chairman of the railway he had just mentioned stated—

"Now, I have been favoured by returns from the City of Dublin Steam Packet Company, and from the steam company connected with the Chester and Holyhead line, and also from the Cork Steamship Company, and I am authorized to make use of them at this meeting. By those returns I find that there is a decrease in cattle shipped from Dublin during the last six months of 17,209, and a decrease in sheep of 31,475. The decrease from Cork is—cattle, 18,333 ; sheep, 18,819 ; making a total decrease from those two ports of 75,836 head of cattle and sheep. I have also been favoured with returns of the percentage of loss from both Dublin and Cork, and also from Waterford. Within the last six months the decrease of cattle shipped from Dublin was 17 per cent, and the decrease of sheep 19 per cent. The decrease from Cork was 60 per cent of cattle, and 46 per cent. of sheep. The decrease from Waterford was 50 per cent cattle, and 45 per cent sheep. Now these are very strong facts, and well worthy of consideration. What is the question we then naturally ask ourselves ? We are told on all hands that the tillage of Ireland has been decreasing for years, and that the pasture land has been increasing, and yet we find beyond all question that the quantity of cattle and sheep produced for a number of years fit for the market is less than it used to be."

In the corn circular of Messrs. J. and C. Sturge, of February 5, 1864, it was stated—

"Turning to Ireland, we find that country imports breadstuffs nearly as large as ever, while the process of 'selling up,' to which we have before alluded, continues on much the same scale as in the three past years, the diminution in stock having been 23,715 horses, 426,125 cattle, 298,411 sheep, and 112,803 pigs. The area of wheat grown was only 264,766 acres, or 21,555 less than in the previous year, and about a similar extent of land seems to have gone altogether out of cultivation. This selling off of farm stock and the diminution in deposits at the different banks, referred to in Dr. Hancock's report to the Government, to a great extent explain what had been so puzzling a problem to many in the trade —namely, how Ireland paid for her large importations of corn."

That was, Ireland was using her capital to supply the shortcomings of her income —a fatal system. Messrs. Sturge said that 21,000 acres had gone out of cultivation ; but that was an under-statement, for, according to the agricultural statistics on the table of the House, there had been in 1864, as compared with 1863, an increase in Ireland of bog and waste uncultivated to the extent of 58,000 acres, and the cereal and green crops also had greatly declined. The picture was a sad one, and it was made more sad when this decline of prosperity, instead of being frankly acknowledged by the Government, was denied. Neither were the symptoms of improvement and prosperity referred to by the Chief Secretary to be found in the Emigration Returns. In June, last year, he (Mr. Hennessy) called attention to the fact that emigration from Ireland was going on as rapidly as in 1863 ; but the right hon. Baronet the Chief Secretary for Ireland denied the accuracy of that statement, and assured the House that at the end of the year the emigration would be found to be less than that of the year preceding. But he (Mr. Hennessy) found in the Government statistics which had recently been laid on the table of the House the following statement of Mr. Donnelly, Registrar General :—

"The number of emigrants from each province during the first seven months of 1864 compared with the same period in 1863 is given at page 20. According to the returns received, 84,586 persons left Ireland this year up to the 31st of July, who stated it was their intention not to return, being an increase of 4,080 on the number for last year. The entire number of emigrants since the date when their enumeration at the several ports of Ireland commenced, 1st of May, 1851, to the 31st of July last, amounted to 1,499,642 persons."

What, again, said Lord Wodehouse, speaking at the Lord Mayor's banquet in Dublin? His Lordship stated—

"While this emigration is so large I must tell you it is not diminishing. There is a large increase as compared with 1863. Look to the position of any agricultural country and consider it. Far be it from me to shut out from consideration the duty of endeavouring to stop this emigration by opening new sources of employment for the people."

There were two admissions in that speech — first, that emigration was going on; and, secondly, that it was the duty of those who had the power to check it by opening new sources of employment. They were told last Session that emigration was the safety-valve of Ireland; and yet the Chief Secretary, speaking at the Royal Dublin Society, said—

"I do not admit myself that emigration ought to be considered the safety-valve of Ireland. I want to see that employment for the agricultural labourers which will do away with all this talk about emigration being the safety-valve for Ireland, and how can we do this but by such works as the hon. Gentleman pointed out?"

The works in question were mainly works of arterial drainage. He must congratulate the Chief Secretary upon having made this admission, that emigration ought not to be considered the safety-value of the country, and that they ought to check it if they had power to do so. From the "Money Article" in *The Times* of that day it appeared that some gentlemen were afraid of a drain of gold to Spain. When a drain of gold was apprehended means were taken to check it by a rise in the rate of discount. There was now going on from Ireland a drain of the population, who were more precious to this country than gold or silver, and, as he thought, it was the duty of the Government to check it by stimulating the profitable employment of the people. How was that employment to be stimulated? A few minutes ago his hon. Friend the Member for Roscommon (Colonel French) asked a question about the works upon the Shannon—a subject to which he himself called attention last June. It appeared that in consequence of the execution of certain Government works upon that river thousands of acres along its banks which were once fertile land were now every year covered with water. According to the report of Mr. Bateman the expenditure of a sum of about £280,000 would relieve the banks of the Shannon from the superabundant water, and would reclaim something like 30,000 acres of land, which might produce food, and the cultivation of which would furnish employment for the people. This, however, was but a small part of the question. The Marquess of Clanricarde, one of the ablest and most zealous of his countrymen, who had studied this subject most carefully, had had a correspondence with the Chief Secretary which appeared to terminate all controversy. Lord Clanricarde read the speech made at the meeting of the Royal Dublin Society, in which the right hon. Baronet not only said that the people ought to be employed, but went on to give advice to the Opposition in that House, saying—

"We have a strong body in Parliament. Every county, as the hon. Gentleman has said, has its representative to advocate its interests. What I should like to see would be a measure pressed upon the Government—pressed upon the Imperial Government and upon Parliament by that legitimate Parliamentary influence, that fair and honourable co-operation and pressure, which would result in the carrying of such a measure—a measure which would have the effect, in my mind, of greatly relieving the agricultural interests by the fair and just granting of public money for the purpose of draining in this country. I maintain that this is a great Imperial question. I look upon the drainage of those vast tracts in Ireland as a question which ought to be dealt with by the Imperial Legislature. Individual proprietors cannot grapple with it—every one admits that. Look at what the Imperial Legislature spent upon the Caledonian Canal in Scotland. Look at what the Imperial Parliament spent upon the Ottawa River navigation works in Canada—over a million sterling for 123 miles. And then look at our magnificent Shannon, spreading over 200 miles of this country, running through ten counties, and having a population on its immediate borders of over a million of people. Does not that represent something worthy of the support of the Imperial Parliament?"

Struck by that speech, Lord Clanricarde addressed to the Chief Secretary the following letter:—

"Portumna, Nov. 25, 1864.

"My dear Peel,—I read with great satisfaction and pleasure your speech at the Royal Dublin Society. I am glad that you think, as I do, that the most immediate, obvious, and practical improvement to be effected in this country is to be made by drainage on a large scale, such as the districts of the Suck and Shannon require; and I rejoice that you justly consider the drainage of the extensive districts to be 'an Imperial question.' I should be sorry to ask you any premature questions, but whenever you can tell me that the Government have taken the matter in hand seriously I shall be much obliged if you will do so, because I am at present, at my own cost, taking what I believe to be the best opinion in the kingdom upon a great portion of the Shannon and its works, with a view to the contest which, until I read your speech, I feared was inevitable.—I am, &c., "CLANRICARDE."

To that communication the right hon. Baronet sent this reply—

"Dublin Castle, Nov. 27, 1864.

"My dear Clanricarde,—I am pleased to find that you approve the remarks which I took occasion to offer at a recent meeting of the Royal

> Dublin Society; and inasmuch as the works already executed under the general designation of Shannon improvements have had the effect of diminishing the value of the flooded lands adjoining that river, I am satisfied that the drainage of the Shannon, during its course of 140 miles, is a subject of national importance, towards which the revenues of the State might very fairly be called upon to contribute. Certain it is that this is a work which can never be executed at the cost of the parties who are owners of the flooded lands, and that it ought not to be at their cost. Such are my honest convictions, not as a party man, but as a public man, having given some attention to the subject, and by expressing rather than concealing them any longer I feel I may be doing some service to Ireland.
>
> "ROBERT PEEL."

The question, therefore, was now in a very different position from that which it occupied last year. Last year the people of Ireland were told that they must do everything themselves; arterial drainage might be wanted, but the proprietors must undertake it—now they had the Irish Government supporting Lord Clanricarde, and supporting those who had for years been calling attention to this subject, in the view that the Imperial Parliament ought to take some steps in the matter. It was possible that the Government might have been to some extent influenced by the evidence which was taken by the Select Committee presided over by his hon. Friend the Member for Queen's County (Colonel Dunne). Mr. Senior, a gentleman who had resided in Ireland for twenty years as a Poor Law Commissioner, and who was, he believed, called to give evidence on behalf of the Government, was asked, "Do you believe that the best thing that could be done for Ireland would be to drain it?" And his reply was, "I do." That was his own opinion. Whatever the Government or that House could do to stimulate the profitable employment of the people ought mainly to be directed towards drainage. The hon. Baronet who was Secretary of the Treasury under Lord Derby's Government (Sir Stafford Northcote), and therefore an authority on finance, presented a draught Report to the same Committee, which contained this passage:—

> "Drainage being the improvement of which Ireland chiefly stands in need, your Committee recommend this question to the favourable consideration of the Government."

Such were the views of the best authorities; in Ireland the best-informed practical men like Lord Clanricarde; in the Government, the Chief Secretary; and in Select Committees, some of the ablest and most intelligent Members of that House. He had some fault to find with the Chief Secretary, because when last year, in calling attention to a kindred subject—the reclamation of waste lands—he stated, upon the authority of Sir Richard Griffith (who fixed the amount at 3,377,000 acres), that there were in Ireland 3,500,000 acres of land at present uncultivated which were susceptible of economical cultivation, the right hon. Baronet said—

> "Instead of the 3,500,000 acres which the hon. Member alleged, there must, I think, be less than one-half that quantity now available for improvement."

During the recess the right hon. Gentleman had looked into the subject, and had not only adopted the figures which he (Mr. Hennessy) had used in that House, but had added to them. He said—

> "Why do not the Government come forward now and treat an Imperial question like this as it ought to be treated?"

One would think that it was an agitator and not a Privy Councillor who was addressing the people.

> "Why do not the Government come forward now and treat an Imperial question like this as it ought to be treated? Sir Richard Griffith has told us that there is no bog land in Ireland that cannot be drained. Sir Richard Griffith tells us that it is a very agreeable reflection that you may drain, I will not say the very worst, but some of the worst land in Ireland, for, I think, £7, or certainly £7 10*s*. an acre, and that in two years afterwards that land would be worth 30*s*. an acre. Therefore, considering that we have in this country about 4,500,000 acres of land in the condition which we have referred to, and considering that in the opinion of Sir Richard Griffith it could be brought into a valuable condition, I do think that this question is well worthy of the attention of the public."

As to the extent of land he was willing to adhere to the figures which he placed before the House last year, with this painful addition, that, as would be seen from the Report of Mr. Donnelly, since he spoke, 58,000 acres which were in cultivation in 1863 had become unoccupied and waste. It therefore appeared without question that there were in Ireland between 3,000,000 and 4,000,000 acres of waste land which were susceptible of economical cultivation. As to the number of families for whom the improvement of those lands would provide, he would quote an authority that could not be said to be prejudiced in favour of Ireland. The special agricultural correspondent of *The Times*, writing from Dublin in October, 1861, said—

"This addition of 4,000,000 acres to the labour-needing area would provide work for 600,000 men, representing as heads of families probably 2,500,000 inhabitants."

Sir Robert Kane, the Director of the Museum of Irish Industry, said that there existed in Ireland millions of acres of land perfectly well adapted for cultivation, but which had never yet supplied a morsel of food for man; that the cultivation of these wastes, if reclaimed, as had been proved by decisive practical evidence, would give remunerative employment to a population far exceeding that which Ireland possessed before the years of famine. As to Ireland being over-populated, hon. Members would do well to read the essay written by Mr. Blacker, who received a medal for it from the Royal Dublin Society, and who was the manager of the largest estate in the county of Armagh. In that essay the writer made the extraordinary calculation that with a good system of arterial drainage, 37,000,000 of people might be maintained in Ireland. When Ireland had 8,500,000 of inhabitants, it exported food; whereas now, with only 5,000,000, she had to import it and pay for it out of her capital. It was often said, especially by the Scotch Members, although he was not certain that it was perfectly accurate, that Ireland was more than half a century behind Scotland; but assuming the accuracy of that assertion, would the Scotch Members do for Ireland now what the Imperial Parliament did for Scotland more than half a century ago? He would give the House a few facts relating to a great work carried out in Scotland, for which public money was voted, without one shilling of it ever being returned by that country. He referred to the Caledonian Canal, which was undertaken to promote inland navigation. In the first Report of the Commissioners it was stated that that canal was not only useful for inland navigation, but still more useful for drainage purposes. Well, the returns showed that the sum expended on that work from 1803 to 1834 was £953,000. He had also seen the Estimates for the six years between 1841 and 1847, and he found that in each of those years the Scotch Members managed to get £50,000 voted for the Caledonian Canal, making a total of £1,200,000 granted for a work which might have been beneficial to Scotland itself, but which could not possibly be treated as a work of Imperial necessity. But that was not all. They had also voted large sums of public money for making roads and bridges in Scotland. He would not speak of the expenditure of £241,000 for military roads, &c., in Scotland, because that might be called an Imperial matter; but upon ordinary Scotch roads and bridges, which were in no sense Imperial, Parliament had lavished since 1803 the sum of £250,000, not one penny of which came back to the Exchequer. Then again for canals in Canada, the Imperial Parliament had voted £977,000. All these sums were voted, not for Imperial purposes, but to promote the development of local traffic. If the Scotch Members, therefore, were under the impression that Ireland was half a century behind them, he thought they might give their support to a Motion like that which he had placed on the paper, and which clearly pointed to some action being taken by the Government in the direction indicated by the speech of the Chief Secretary. Indeed, his Motion, as the House would perceive, did not go as far as the speeches of the Chief Secretary. It began by expressing the regret which he thought they all felt at the decline of the population in Ireland; and then went on to declare that the House would readily support Her Majesty's Government in any well devised measures for stimulating the profitable employment of the people. He had pointed out that by expending money in the reclamation of waste lands, and in the introduction of a good system of arterial drainage, not only could the Government give remunerative employment to the people, but they could also affect the climate of Ireland. The difference in the physical geography of Great Britain and Ireland, to which he had referred, was not owing simply to the configuration of the sister island, but Ireland was somewhat more moist than England, owing to her greater rainfall; and everybody knew that the effect of rain upon the soil was very different from the action of the water which lay upon and underneath the soil. Land saturated with standing water was not suitable for the production of crops; whereas the rainfall brought down upon well-drained land ammonia and other ingredients which were highly beneficial to cultivation. As far as rain was concerned, the people of Ireland had nothing to complain of; but they did complain that, owing to the want of arterial drainage, there was at certain seasons of the year a coldness of the soil, which rendered it unable to grow the crops that would otherwise be produced. He believed that by some such measures as he had suggested, they could do something to check the emigration from Ireland, and that they could do it precisely in the direction indicated by the Chief Secretary. In moving the Resolution which he had placed on the paper, he was sure the House would do him the justice to believe that he was not actuated by party spirit, but wished to unite the general feeling of the House in an expression of regret at the condition of Ireland, and a determination to support any effort which the Government might make to promote the prosperity of that country.

COLONEL FRENCH, in seconding the Motion, said he felt deeply grateful to his right hon. Friend the Chief Secretary for the boldness and manliness with which he had avowed the opinions which had that night been quoted. With regard to that magnificent river, the Shannon, some thirty years ago a Commission reported that £600,000 would be required, not only to carry out the improvement of its navigation, but to deepen it so as to admit the drainage of the ten counties through which it passed. In 1835 an Act was brought in for the execution of these works, one-half of the cost to be defrayed by public grant, and the other half to be defrayed by tolls. In case the tolls were not sufficient, a levy was to be made on the adjoining counties. Under these circumstances the Commissioners proceeded to act. Plans and sections were laid on the table; and the first step it might have been thought would have been to advertize for contracts. But no—the Commissioners not only planned the works and prepared estimates, but undertook to execute them. Had there been contractors, proceedings might have been taken against them for non-execution. But the Commissioners did not even execute the works; they altered their plans and made themselves judges as to how they were executed. The works completed and everything sought for obtained, now they said they must proceed to deal with repayments. They made allotments, and £300,000 was levied on the adjacent counties. The county he represented paid in principal and interest £100,000, and, instead of improvements, they had unfinished works. After repeated solicitation, the Chancellor of the Exchequer had sent a hydraulic engineer of eminence, Mr. Bateman, to examine the works. He went over the works, made a report that they had not got value for their £300,000, and that to carry out the works would require a further sum of £280,000. There were two boats engaged in the navigation drawing six feet water, and instead of having boats built to suit the river, the river was to be made six feet deep to suit the draught of the two that now plied upon it. The work was important as a work of drainage, but not of navigation. But not only did they complain of contracts unfulfilled, but various sums had mysteriously disappeared, and no account could be had of them. He did not go so far as his hon. Friend with reference to reclamation of waste lands. When the late Lord George Bentinck brought forward his Bill for railways in Ireland a sum was to be advanced by the Government for reclamation; but the Government would not accede to that measure. Then the right hon. Member for Stroud (Mr. Horsman) brought in a Bill on the subject; but it was not deemed desirable to carry it out. The statements made by different persons on this subject as to the enormous amount of waste lands in Ireland were exaggerated. The bog waste lands were every year being reclaimed by the population around them. Every person who had gone into the subject knew that very erroneous estimates had been made on the subject of the expense of reclamation. He was glad to learn that one portion of this subject was under the consideration of the Treasury, and that, in the course of a week, they might expect some intimation on the subject.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House observes with regret the decline of the population of Ireland, and will readily support Her Majesty's Government in any well-devised measure to stimulate the profitable employment of the people,"—(*Mr. Hennessy,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE CHANCELLOR OF THE EXCHEQUER: Sir, I do not rise for the purpose of traversing the very extended field that appears to be opened to the notice of the House by the Motion—not in the form in which the hon. Gentleman has brought it before us, but in the terms in which he originally gave notice of his intention to raise the question; but I will venture to say a few words both on that aspect of the question that may be thought most to concern my own department, and likewise on some of the points touched by the Mover and Seconder. In the first place, my hon. Friend who seconded the Motion will not expect me to enter on the very important question of the drainage of the Shannon. As respects the history of that subject, it will be treated with much more knowledge and fulness of detail by my right hon. Friend the Secretary for Ireland; and as regards a portion of it my hon. and gallant Friend is already aware that it is under the consideration of the Government. Turning to the speech of the hon. Mover I frankly answer the appeal he made to the House when he said he hoped this would not be considered as in any sense a party Motion. Most certainly it would be a great misfortune if a question affecting the general condition of Ireland, the decline of its population, the happiness or suffering of its people, should come before this House as a party question. I entirely acquit the hon. Gentleman of having any object in view in bringing forward this Motion apart from the benefit of his country. I do not well know if there be any intention to take a vote on the Motion, of the terms of which we have only been put into possession this evening. I advert to that subject because the hon. Member has not distinctly stated his intention in the speech he has made; but I assume that he has no intention to call on the House for the expression of an opinion by division, for two reasons—first, he will observe that it will be a proceeding highly inconvenient as regards the business of the House if we were to be called to decide by a vote on propositions comprehending matters of great importance, the exact terms of which had been placed before the House only in the moving. But not only is such a practice to be shunned on the grounds of regularity and precedent, but likewise he will see that it requires very great consideration on the part of the House to deal properly with the terms in which it shall record its impression and sentiments with respect to so important a subject as the condition of Ireland. The hon. Gentleman in his Motion calls on the House to say that "this House observes with regret the decline of the population of Ireland." That is the first branch of his Motion. No doubt, it is the natural impulse of the mind to view that decline of the population with great regret; but to feel that sentiment for ourselves is one thing, and to record it as the judgment of a great deliberative assembly is another thing. I must say we ought well to consider and examine, in a manner which we have now no power of examining, as to the whole social and economical bearings of that remarkable movement of the population now taking place in Ireland before we venture to record any opinion whatever regarding it by the House. Then, I must say, adverting to the character of the speech of the hon. Gentleman, that it would be most undesirable that the House should express vaguely and indefinitely its readiness to "support Her Majesty's Government in any well devised measure to stimulate the profitable employment of the people." I do not say that sentiment is unreasonable; but a sentiment of that kind is one thing in the speeches of individual Members and another thing in the formal records of the House. You must consider the expectations which you raise when the House of Commons puts on record such an opinion, and the bitter disappointment which will follow if it is afterwards found that you have matured nothing as to the mode in which you will give effect to your benevolent feelings, and that, in fact, you have been misleading people under a spontaneous impulse of benevolence. I certainly feel it would be highly inexpedient and would tend to defeat the doctrine laid down by the hon. Gentleman that we should avoid to impart to this discussion any character of party, if we should be called upon to give a vote upon this Motion—a vote which would be misconstrued by the people of Ireland, and would form a very inadequate vehicle for the expression of the feelings and judgment of the House. The hon. Member says it is the practice in this House to deal with England and Ireland on opposite principles. I will not enter into a review of the illustrations he has cited in illustration of that proposition. If there be such cases they require to be justified on strong and peculiar grounds. When we speak of the Union of England, Scotland, and Ireland, and of the three as constituting the United Kingdom, we thereby give a solemn pledge to apply to one and all of the three countries the principles of equality and justice, and nothing but circumstances of a special and imperative character, or else causes that are entirely beyond our control, can warrant our deviating from the application of those principles. The idea of "justice to Ireland," as it is called, depends entirely on the *bonâ fide* and loyal application to that country of the very same principles, but not necessarily in every instance in the very same form which are applied to the government of the rest of Her Majesty's subjects. The hon. Gentleman resorted to one illustration upon which I cannot avoid saying one word—I mean the illustration he drew from the case of Scotland. Now I must say I do not think Scotland and the Scotch are open to the animadversions of the hon. Member. I do not know that it has been in former times—I am certain it is not now—the characteristic of the people of Scotland or of their representatives to make any special, and what may be called peculiarly Scotch, calls on the funds of the nation. One illustration which the hon. Gentleman brought forward was the military roads. [Mr. HENNESSY: "No!"] Well, it is not worth going into it. What England did to a conquered country in regard to military roads can scarcely be called an undue favour to Scotland. Then the hon. Gentleman spoke of the vote for Highland roads and bridges. That is a very trivial case. The history of the vote may be traced back to a time when very different relations subsisted between England and Scotland from those of the present day. In the next place, did the Scotch Members object to the withdrawal of that vote? On the contrary, the Scotch Members cheerfully consented to the withdrawal of the vote when the pleasure of the House was declared. But that vote was not a simple grant from the Imperial treasury to Scotland. At that time the Government had a mail service to perform over those roads, and when the practice of passing that vote was given up the Government forfeited its right to free transit over the roads; and it was found to be in the power of the Scotch counties to impose charges to the amount of a very large portion of the sum which had been withdrawn from the roads. The thing came, therefore, to much the same in the end. This was a very insignificant affair to form an article in a great national indictment. The instance to which the hon. Gentleman attached most importance was the Caledonian Canal. He told us, to my perfect astonishment, that the Caledonian Canal was not an Imperial work, but was undertaken for the promotion of inland navigation, and exceedingly beneficial to the drainage of Scotland. The hon. Gentleman clearly has never been through the Caledonian Canal. If he had been he would know that there is no line of country to which nature has been more lavish in facilities for spontaneous drainage than the district of this Canal. I suppose that the acres of arable land on its banks may be counted by hundreds, perhaps by tens. Precipitous mountains wall it in on each side. Ben Nevis, no doubt, is much indebted to the hon. Gentleman for his anxiety that it should be well drained. But this was not a question of drainage or inland navigation. The Canal may have been a mistaken work—I am afraid it was; but if ever there was a work thoroughly and absolutely Imperial it is the Caledonian Canal. It was made, not for Scotch purposes, but exclusively under the expectation that it would save the shipping of the kingdom what was deemed the dangerous sea passage round Cape Wrath. I desire to observe impartiality in regard to all claims for one or other of the three countries on the public purse, but with regard to the present, and even with regard to the past, I am bound to say that, on the whole, Scotland comes into court with clean hands in this respect. The hon. Gentleman has not shown any well-adjusted scheme, or even the elements of a scheme, for remedying the evils he speaks of which would justify the vote he asks under present circumstances. The Seconder of the Motion himself does not venture to claim a vote for draining the basin of the Shannon, or to follow the Mover in regard to the expenditure of money on waste lands. In fact, it would not be worthy of the position of the hon. Member or of the dignity of the House to pass a vote based on the idea of a general improvement of waste lands by the Government in the present state of the facts. To whom do these waste lands belong? They are not the property of the State—they belong to somebody; and there ought to be a full and careful investigation on these and other points before any proposal is made. I do not say the plan is impossible; but I am sure that further inquiry is needed before the House is placed in the alternative of affirming a a Motion to reclaim the waste lands at the expense of the Imperial Treasury, or of exposing itself to the risk of being deemed by the Irish people indifferent to their interests if it reject the vote. The main proposition of the hon. Gentleman, of course, is that a certain amount of the public funds should be applied to the special benefit of Ireland. I do not make that any ground of charge against the hon. Gentleman, I do not say that it is a proposition obviously on the face of it unreasonable, but I should think it highly unreasonable if the House were compelled to give such a vote before the proper time and in vague terms. But I think the proposition is one which deserves fair consideration at the hands of the House. The appointment of the Select Committee last year on Irish taxation was understood to be the prelude to a claim on the part of Ireland to be placed on a footing somewhat different from absolute equality in regard to her contributions to the public Treasury. I, for one, am not shocked in principle at the idea of drawing some distinction (provided it be not unsound but justifiable in principle, and not detrimental in character) between Ireland and Great Britain in that respect. Let us, however, consider the modes in which there is apparent on the part of Ireland, either in the proceedings in Parliament or elsewhere, a disposition to claim special privileges. In the first place, there is, I think, a tendency to claim that public expenditure in Ireland shall not be limited strictly to the amount required for the purposes in view, or fixed to the spot which is deemed most for the general convenience and efficiency of the public service; but that it shall be applied for the benefit of a particular locality and in a fixed degree. Against that principle and every modification of it I entirely protest. Nothing could in my opinion be more detrimental. It might be proposed in perfect good faith, but it is nevertheless a principle fraught with every kind of mischief to Ireland herself as well as to the country at large. What is the public expenditure? What is a tax? It is money taken by the Government out of the pockets of the people. What right have the Government to take that money? Simply the necessity which exists to satisfy the public wants. And if they proceed to satisfy the public wants are they not bound to do so in the best, most efficient, and at the same time most economic manner in their power? If these principles are true and elementary they cut at the root of the whole idea of geographical expenditure, and of the argument that any particular province, or county, or parish possesses a right to have expended within its limits a share of the general expenditure of the country corresponding to its taxation. I should like to know what would be thought if Scotland, through her representatives, made a claim such as is sometimes made on behalf of Ireland—that the amount of taxation raised in Scotland should be laid out within the limits of Scotland alone. Is it not true that from the very necessity of the case a considerable portion of the public expenditure of a nation must take place in its metropolis, wherever situated; and that there are reasons which determine the expenditure connected with our military and naval establishments altogether incapable of being reduced under the operation of any geographical law? And now let me ask what is the proportion which the expenditure in Scotland bears to her taxation? I doubt whether a quarter of the revenue of that country—and it is but right to say I am now speaking without basing the statement on any minute or accurate calculation—is spent within her borders. That is my belief; and does Scotland, I would ask, suffer owing to that fact, or regret it? Does she suppose that her prosperity would be greatly promoted if we were to adopt the unsound and injurious principle of pouring back taxation on the spot from which it proceeds? I venture to say, without the slightest imputation on the good faith of those who advocate the claims of Ireland in this respect, that she would be unwise if she did; and I am quite certain that to attempt to regulate the public expenditure on any other principle than that which proceeds upon the plan of taking from the subject the smallest amount sufficient for our purposes, and spending the money so obtained in the manner which will cause it to go furthest in the attainment of the public objects in view, would be to proceed on an erroneous system. I make no secret of the opinions which I entertain on this question, for I believe it would be to be guilty of an act of folly and cruelty towards Ireland herself to adopt in her case any other principle than that for which I am contending. I now come to another branch of the subject, and that is whether any favour ought to be extended to Ireland by means of certain exemptions from taxation. In dealing with that point I must be allowed to draw a distinction. Every exemption from taxation in favour of a particular country ought, in my opinion, to be regarded in the light of a grant of public money to that country, and set down in the national account accordingly. All exemptions accorded to classes, institutions, and individuals may be justified, but they amount, nevertheless, to grants in that particular direction of public money. Now I find that, in the case of Ireland, she is free from all taxes on conveyances. Her railways pay no tax, neither do her coaches nor her hackney carriages, except, I believe, in Dublin. Now, that freedom from taxation is, so far as it goes, a grant from this country to Ireland. Do I complain that such is the case? No. I do not think that taxes on conveyances are in themselves desirable. I look upon them as, in a great degree, taxes on industry and production, and I should not be sorry to see England rid of them. I have no wish therefore, that they should be imposed upon Ireland, but, without saying that there is nothing in her condition that may not for a time justify this exemption, I think it right that we should take care that the exemptions made are such as are likely to be beneficial to the classes which stand most in need of them, and on that point I do not feel satisfied. I come next to the house tax, but that I shall pass over—and deal with those taxes which are more popularly known as the assessed taxes—those, for instance, imposed in the case of servants, horses, and private carriages. Now, I never heard it said by any one that exemption from such taxes as these was that of which Ireland stood in need. Those persons who keep horses, carriages, and servants in Ireland are as well able to pay for them as the corresponding class in this country. The small farmers, the peasant, the struggling shopkeepers, constitute the class in whose behalf the hon. Gentleman opposite pleads, and I do not see how their position is improved by those exemptions. Then there is exemption under the income tax—because it must also be borne in mind that the income tax is levied in a more mitigated form on the land in Ireland than on the land in England. The land in Ireland is taxed, not upon the rental, but upon the Poor Law valuation, which is considerably less. I would venture to say to Irish Members that all these exemptions from taxation, which are in reality pecuniary favours bestowed by the country at large on a particular part of it, deserve to be examined with great jealousy, not merely by those who are the guardians of the public treasury, but by those who receive the money themselves; for it is no paradox, but a truism, that equality in the general distribution of the public burdens is an absolute condition of real political equality, and that the country or class which consents to accept pecuniary favours puts in hazard the full and equal possession of the dignity and rights of freemen. Having said thus much on the subject of exemptions and expenditure, I come to deal with another mode in which it has been suggested that assistance might be given to Ireland—and here I cannot help referring to the report of the Committee on Irish Taxation of last year. I perceive that that Committee closed its proceedings by putting on record that a Motion ought to be made for its re-appointment in the present Session. I cannot help thinking that, if it should be re-appointed, we ought to have from it a distinct expression of its views on the important and difficult subject into which it met to inquire; for we are, as it is, somewhat bewildered by finding that the zeal and ability and eloquence, not only of the Chairman, but of so many members of the Committee, have resulted in the production of a large family of separate draught Reports, while the Committee itself has arrived at no definite conclusion. Now, so far as I have studied those draught Reports, I confess I have somewhat of a preference for that which was drawn by my hon. Friend the Member for Stamford (Sir Stafford Northcote.) He has, I think, laid down with great clearness, and upon the whole with great fairness, the principles on which, in his opinion, the United Kingdom ought to proceed with respect to any pecuniary difficulties in the case of Ireland. I wish in the present instance especially to advert to the 31st and 32nd paragraphs of the Report of my hon. Friend, which relate to the subject of advances. The first of those paragraphs is as follows:—

> "As regards what may be called reproductive expenditure, somewhat different considerations apply. It may be desirable to advance public money to promote the improvement of particular districts, in order to render those districts ultimately more capable of adding to the national wealth. A good deal has already been done in this way for Ireland. It appears from a table in the Appendix to this Report that between 1817 and 1863 advances to the amount of £13,959,125 had been made for public works in Great Britain, of which sum £7,658,602 principal and £3,205,286 interest had been repaid. In the same period, £26,292,867 had been advanced for public works in Ireland, of which sum only £12,247,299, principal and interest together, had been repaid. These sums are, as your Committee understand, distinct from the grants which have at various times been made to Ireland."

I do not refer to these words for the purpose of condemning the policy which has been pursued, but I think they serve to show that the legislature of the United

Kingdom has not proceeded in a niggardly spirit in reference to this subject. This is the second paragraph :—

> "Your Committee do not, however, see reason for objecting to this expenditure. On the contrary, they are of opinion that any measures which can safely be taken for furthering such advances will be desirable. Their attention has been called to the system upon which loans are now made for the purposes of drainage, and to the further facilities which are said to be desired. Drainage being the improvement of which Ireland chiefly stands in need, your Committee recommend this question to the favourable consideration of the Government."

I do not intend to touch adversely on the matter referred to by the hon. and gallant Member for Roscommon (Colonel French) with regard to the Shannon. We have no particulars before us to decide whether or not there is anything to justify a grant—I use the word as distinguished from an advance of public money—in regard to that river. The principle which I understand to be involved in that case is a principle which would have to be admitted, providing the facts are proved in any part of the country. The definition attempted to be given to it is that of a claim arising out of previous and unfulfilled obligations. The first question is, whether that claim can be made good. Undoubtedly, I should say that the principle of advances is, as a general rule, the principle on which the liberality of Parliament to Ireland can best be exercised. In England or Scotland—I except the case of the Lancashire distress—we rarely lend money save at a high rate of interest; and the reason is, not that we desire to make a great profit by the transaction, but that we feel we ought not, as a rule, to go into the money market, and compete with private persons having money to lend, but rather that we should reserve our interference for exceptional cases, abstaining from becoming general offerers of money. But in Ireland we have always—or rather, I will say, always since the attention of the present Government has been directed to the subject—been willing to proceed on a different principle, and to lend money without the slightest view to profit. We have felt ourselves justified in announcing and acting upon that rule in virtue of the discretion vested in the Executive. It would be possible for Parliament to go even further, and to lend money to Ireland upon terms of interest so low that it would cease to be remunerative; in which case, of course, it would be necessary for part of the expense to be borne by the Imperial Treasury. To that view I am not disposed to shut the door, in case good and sufficient cause were shown. It is, necessary, however, to exercise very great caution and discrimination in all such cases, because as every one knows, where money is given away the first claim may be economically and morally a good one, but the inevitable tendency will be to raise up fifty other claims, many of them altogether bad, but nearly impossible to be distinguished from those having considerations to recommend them. It is always better when money is asked for, that it should entail some obligation of repayment which may act as a check upon the undue readiness to put forth further requests, which is so apt to creep up in human nature whenever opportunity is once afforded. I do not think it will be requisite for me to enter further into this matter. I hope the opinions I have expressed on the part of the Government with respect to the financial aspect of this question will not seem to shut the door to the fair claims of Ireland, particularly when any special grounds can be advanced and substantiated. Further than this it would not be becoming in me to go. The proposition in the shape in which the hon. Member produced it is not, I think, one on which we can fairly be asked to give a vote. Considering the nature of the subject, it would, I think, be unjust to the House—I do not say unjust to the Government, because upon a matter of this nature I do not want to recognize a distinction between one political party and another—it would I say, be unjust to compel us to involve ourselves in the difficulties attendant upon an equivocal and undigested declaration, or, on the other hand, to appear before the people of Ireland as exhibiting indifference to the interests of that country. But we may, I trust, cherish the hope that the difficulties under which Ireland laboured recently are, owing to the favourable circumstances of last year, at present undergoing considerable diminution.

Mr. BAGWELL said, that the Government need be under no apprehension that they would be suspected of acting in any friendly way towards Ireland. The right hon. Gentleman had alluded to the assessed taxes, but he forgot to point out that the remission of these constituted an inducement to persons to reside in Ireland. The burden of his speech had been that Ireland was poor and wretched; but he conveyed, almost in so many words, his idea that the cure was by increasing her taxation. What had been the effect of English legislation already? A flourishing corn trade once existed in Ireland; that had been destroyed by the free-trade policy. Large distilleries furnished remunerative employment to the people; these had been stopped by the equalization of the duties. No man passing any portion of his time in Ireland could doubt that the people were in very deep distress. True, the occupiers of the land were not so much distressed as was the case same years ago; but what of the inhabitants of towns? There was a practical cessation of trade — artificers and mechanics were without employment, and the results were perfectly appalling. One reason for the existing state of things was to be found in the mania for throwing their land into large farms which had seized upon the proprietors, some of whom drove away their tenantry without the slightest regard for their feelings, while others allowed matters to take a more natural course and assisted the poor people to leave. What was now taking place in Ireland was a repetition of what occurred in England 300 years ago. In the reign of Henry VIII. a petition was sent forward complaining of the system of encroachment under which ten, twelve, fourteen, and sixteen farms came into one man's hands, so that only one homestead was kept up where before every farm had its own good house, and, perhaps, three, five, or six cows; and the petition ended by saying that "twenty or thirty townlands were joined together, and required but a neatherd and shepherd, instead of giving support to four-score people." This was literally what was taking place in Ireland. Large tracts of land were being laid down under grass, and the poorer residents on those plots were driven into the towns, where being unable to gain a livelihood they only help to swell the previous misery. Since 1841 the decrease in the number of small holdings was no less than 293,835, and when these were multiplied by the number of persons who derived their subsistence from them, the number grew to something enormous. The population thus driven from agricultural pursuits had nothing to fall back upon. There were no great manufactures in Ireland, and there were no materials out of which they could be created. During the last few years stock had decreased 4½ per cent, which was far from supporting the statements they had heard that the country was improving. It had been shown that in 1845, through the landowners ejecting the poor, the towns were overcrowded, and that disease, misery, and vice, were prevalent among the numbers thus gathered together without means of existence. The regulations of the Poor Law prevented such a dreadful state of thing from existing at the present time, but there was still much misery and want among the people. Where were they to seek for remedies for such evils? The President of the Poor Law Board of England spoke feelingly the other night of the hardship of working men in England having to remove from their homes and find others at long distances from their work, and he sought to remedy the evil by bringing in a Bill by which the areas of rating were to be very much extended, and thus remove one direct and pecuniary reason from the landowner for driving the people away. Why was not that beneficial provision to be extended to Ireland? Why was an evil in England always redressed while crying wrongs in Ireland were disregarded? Nothing, however, but the settlement of the land question would ever keep the people in Ireland, and this was a point which the people of England did not seem to understand. He had no doubt the time would come when some great statesman would declare in that House that it was necessary that Ireland should be put in a different position from England with respect to land. Ireland was distinctly and entirely an agricultural country, and what was required for its prosperity was not that the peasantry should till the waste lands, but that they should be in a position to till the good land, so as to enable them to live in the country and render it again an exporting country. In every other agricultural country in Europe —in Germany, in Belgium, and in Switzerland, the Government had taken the land question into their hands, and had made such regulations with regard to property as had rendered the people satisfied and the countries prosperous. The German Ministers, Stein and Hardenberg, had settled the question in that country; and, if so, why could not some of our statesmen grapple with it here? Ireland, instead of progressing, as she would have done if this question had been satisfactorily settled, had gone many thousands of years back within the last fifty years, as the number of acres in grass was rapidly increasing, while the number of stock and of people and the wealth of the country was continually decreasing. So dissatisfied were the people with this state of things that he did not believe there was the slightest feeling of loyalty in Ireland towards this country. The misgovernment of the people had driven every spark of loyalty out of their breasts, had made them look upon the English as their oppressors, and towards America as the land of freedom, plenty, and happiness. It was a very serious thing for 5,000,000 people to be not only discontented but utterly disaffected towards Government, and although they might at present hear only the faint murmurings of such feelings, still the time might come when the result would astonish this country, and might affect the whole of Europe.

Mr. DAWSON observed, that questions of such scope and importance had been raised in this debate that it became the duty of Irish Members to offer their opinions upon them. He—a resident in Ireland—did not, like the hon. Members to whom they had just listened, despair altogether of the regeneration of the country. He did not think the present condition of Ireland entirely satisfactory, and considered the troubles of that country were a cause for great anxiety and deep consideration, but at the same time he did not regard them as arising from any errors of Government, but rather from a number of adverse circumstances caused by a series of unfortunate seasons. Last year, although, perhaps, an improvement upon other years, was still not very favourable, the summer being too dry, and the autumn being too wet made it bad harvesting weather. Great stress has been laid in previous debates on the increased breadth of land sown with flax, and in his own district—Londonderry—33,000 acres were sown with this crop last year. Owing to the inferior quality of the produce, and to the buyers combining to keep down the prices, a large quantity had remained unsold, although the poorer growers had been compelled to dispose of their produce at an unremunerative rate, though it was largely imported at the time into the harbour of Belfast. He was not so much pleased with this extension of the culture, as he was afraid that the poorer classes would neglect all other crops for flax, which although more remunerative for a time, was the most exhausting to the land that could be grown. The extension of flax cultivation promised to be beneficial to the small farmers, and the climate was favourable to its proper cultivation, especially in the north. Several districts of Ireland laboured under excessive disadvantages, engendered by the humidity of the climate, in regard to many of the productions of the soil. In the north-east and north-west the wheat crop would scarcely ripen, and the crops of oats and barley were so late that the tempestuous weather of the equinoxes set in and rendered the saving of the grain very difficult. He had not unfrequently seen corn in the fields in the month of November, and even so late as the beginning of December, and this arose from causes against which no foresight could guard. These drawbacks ought to be taken into account when national burdens were imposed upon the people. It was said that the Government ought to make grants for arterial drainage, and certainly the welfare of the country depended on getting rid of the superabundant water. This Government drainage might, however, be bought at too great a price. He would recommend any district applying for Government aid for drainage to obtain some guarantee that the drainage should be made complete and effective, or otherwise a heavy repayment might crush the energies of the county, as had happened in a case within his own knowledge, for in reference to the drainage in the neighbourhood of Loch Neagh, he could say that five counties had been most ruinously taxed by an expenditure by Government officials, whilst the drainage had been but little improved. It was often said that the lands in Ireland ought to be turned into permanent pasture, and almost exclusively devoted to the breeding and rearing of cattle, and that root crops should be also encouraged. In the north and north-west of Ireland, however, it was impossible to keep the land in permanent pasture, for the moss engendered by the constant damp overpowered and destroyed the finer grasses. Sheep farming was also recommended, but the climate of the north was too rigorous for the more valuable breeds of sheep, which could not be exposed during the earlier and later parts of the year to the external atmosphere, and mutton was always dear. There was another drawback to sheep-farming, which English Members would hardly expect, and which was not unworthy the attention of the right hon. Baronet the Chief Secretary for Ireland. It appeared from a Return laid before the House that in the year 1863 no less than 7,000 sheep were destroyed by dogs. There was no fiscal impost, the effect of which was to limit the number of dogs in Ireland, and he trusted that the right hon.

Gentleman would support any measure by which this great nuisance would be lessened. It must be recollected that Ireland was shut out from all the advantages derived from the preservation of game, and there was no letting of shooting which increased the value so much of land in the Highlands of Scotland. With regard to emigration, it appeared to him likely to continue so long as so great a disparity existed between the rate of wages in Ireland and in a country so easily reached as America now was. A cessation of emigration under such circumstances could neither be expected nor altogether desired, although it might be greatly checked by the encouragement of public works and by the claim of Ireland to a share of the national expenditure equal to that afforded to other parts of the kingdom. He gave the Government credit for good intentions in making provision for the establishment of a Royal dockyard at Cork, and trusted that this vote would receive the support of every Irish Member. He would support the introduction of capital and industry in any form. The occasional presence of Royalty in Ireland would be desirable, but, above all, it was to be wished for, that there should be a diminution of that spirit of party rancour which had been the bane of Ireland for centuries. The only course for a Government to pursue was one of unvarying impartiality, vindicating the majesty of the law under all circumstances, and avoiding even the semblance of a suspicion that the position of the offender, however high it might be, could save him from prosecution and disgrace. He would appeal to every sincere well-wisher of Ireland whether in the place of the revival of a new association it was not more desirable that there should be a cessation of party and religious dissension. Why should not Roman Catholics and Protestants join hands in the service of a common country, and their children be brought up and educated together in goodwill and unity? Why should there not henceforward be such a community of feeling and concurrence of classes in Ireland as would soon deprive the name of the country of its unenviable notoriety, and render, by its prosperity and improvement, the passage in the Queen's Speech perfectly free from cavil and complaint?

SIR PATRICK O'BRIEN begged to thank his hon. Colleague for bringing forward his Motion. He complimented the hon. Member who brought forward this Motion upon the temperate language in which he had addressed the House, and which he thought did not deserve the strictures of the Chancellor of the Exchequer. He denied that his hon. Friend had put himself in the position of a mendicant; but, finding his country in an exceptional position of deep distress, he had called upon the Government to take some steps to remedy it. He lamented deeply the emigration which was now going on from Ireland, and which he feared would become much greater if the American war were to terminate. What position did the Irish peasantry occupy at this moment? The way in which his material wants were dealt with, caused the peasant to draw distinctions between his treatment in America and in his native country, and his object was to endeavour to induce as many of his relatives as he possibly could to join him without delay. As for drainage, he believed his hon. Colleague had suggested it as one means by which employment might be given to a large mass of the labouring classes in Ireland, on terms remunerative to the landlords and without drawing on the means of the State. By the adoption of a proper system of drainage the present drawbacks to that useful undertaking might be got rid of, and the State might be recouped to the full for any advances made by way of loan to the Irish proprietors. But drainage would not relieve the small farmers or remove their discontent. There was a strong feeling in Ireland on several questions, including that of the Established Church; but the land question was the one in which the agricultural population was most deeply interested. Without reflecting upon individuals, he must say it was notorious that many proprietors ejected tenants from their holdings without giving them the compensation to which they were entitled. The hon. Member concluded by expressing his opinion that the question which really agitated the breast of every man in a thatched house or a cabin in Ireland, was that of the tenure of land, and by expressing a hope that the Government would not adopt the ungracious course of refusing to acknowledge a Motion, the truth of the proposition contained in which every one must acknowledge, and which proposition only bound them to the intention to do what they could to mollify in some degree the distress at present existing in Ireland.

COLONEL DUNNE believed that there was not a man of the whole Irish nation that had not felt the utmost surprise when it was announced in the Speech from the

Throne that Ireland was prosperous. He was happy the assertion was not actually put into Her Majesty's own mouth. Every one who knew Ireland, while admitting that in many places there was a good harvest last year, yet regretted that there was no progress towards material or permanent prosperity made. The Lord Lieutenant had made lately a speech at the dinner given to him by the Lord Mayor, in which he showed that there was some small increase in the trade of Dublin and in that of Belfast, but the remark did not apply to Ireland generally. He thought the Chancellor of the Exchequer had led the House away from the question before them. The right hon. Gentleman had commented rather on the Committee which last year considered the taxation of Ireland, of which Committee he had the honour to be Chairman, than on the Motion of the Member for the King's County. He had not been prepared for those comments. But notwithstanding, he felt it necessary to make some observations on the speech of the right hon. Gentleman. Separate reports had been drawn up by himself, and four other Irish Members of the Committee, and another report by an English Member (Sir Stafford Northcote); and though, taken altogether, the four reports expressed the views of the Irish Members' Committee and in effect differed little, no document had been adopted as the Committee's Report. He had not made any suggestion to remedy the evils of Ireland; his object had been to show the financial relations between the two countries. In moving for the Committee, and in suggesting the Orders of Reference, he had asserted, that for sixty years no fair account had been kept between the countries, and that in consequence of that circumstance Ireland had been charged, on debt and other responsibilities, for what she was not chargeable. By the evidence of the Government officials he had clearly and entirely proved that proposition. He had asserted, likewise, that the accounts of the taxation of Ireland was not in accordance with the Act of Union. He had proved it. He had asserted, also, that Ireland was not taxed according to her ability to pay taxation. He thought no one could doubt that even by the evidence of Mr. Senior the Poor Law Commissioner, an Englishman, and not over complimentary to Ireland, he had proved it. The Irish Members did not shrink from having the question discussed. If further information was desired, he was ready to move the re-appointment of the Committee. He denied that Ireland was a province of England. As an Irishman he repudiated any such doctrine. Ireland was a kingdom bound by close ties to England, and no man was more anxious than he that those ties should be drawn as close as possible, but this must be done with a due regard to justice. The Irish were not to be governed for the advantage of England. He agreed with the Chancellor of the Exchequer that the object of taxation ought to be to draw as little as possible from the pockets of the people, and that it was the duty of the Government to administer it with the utmost economy. If this test was applied to Ireland it failed. The only right England had to tax Ireland was given by the Treaty of Union, and the United Parliament could only exercise that right in virtue and in accordance with the provisions of that treaty. But the provisions of the Treaty of Union were violated; not only was Ireland not taxed in accordance with them, and in proportion to her ability to bear taxation, but Ireland was not even taxed in equal proportion with England. To prove this he took the figures supplied to him by the Government officials. By a Return moved for by Sir Edward Grogan, it appeared that Ireland paid 6*s.* 3¾*d.* while England paid only 4*s.* 0¾*d.* on their total valuations, including those for local and income tax purposes, being a difference of 2*s.* 2½*d.* against the poorer country; and again, in Ireland the local taxation amounted to 5*s.* 7½*d.* on the valuation, while in England it was only 2*s.* 3½*d.* Irish Members, therefore, had a right to complain, and the only way to get rid of the inequality was by proving it before a Committee of the House, and that, he had contended, he had done. But he must repeat again and again, Parliament had no right to tax Ireland equally with England, for according to the 7th article of the Act of Union she was to be taxed only according to her ability. Under certain circumstances, Irish taxation was permitted to be equal to English taxation but these circumstances had never arrived. An argument for equal taxation in each country had been attempted because it was asserted that a man in Ireland, of an income of £500 a year, did not suffer more than would a man of £500 a year in England by taxation of equal amount, and no doubt this was true. But it was not the tenantship and the individual that was complained of, but the national wealth that was diminished when a larger amount. The aggregate of taxes raised from many individuals, was sent out of the country and spent elsewhere. By this process the capital of Ireland was diminished and each individual in it suffered, at least indirectly. Such were the answers he would give to the Chancellor of the Exchequer, who very naturally preferred to take the Report of the hon. Member for Stamford rather than those which had been prepared by the Irish Members of the Committee. But the hon. Member for Stamford had in his Report not given half the figures which the Chancellor of the Exchequer seemed to approve; but had left a blank to be filled in with Government figures, whatever they might be, and those were exactly the figures which he (Colonel Dunne) might be inclined to controvert when they appeared, for even to this moment the treasury officials, however diligent he knew them to be, had not laid the accounts he moved for on the table of the House. But this question, raised by the Chancellor of the Exchequer, was not the question put before the House by the hon. Member for the King's County; it was the abstract proposition that this House regretted the emigration from Ireland. The right hon. Gentleman the Chancellor of the Exchequer had an objection to the proposition that the loss of 2,000,000 of people in Ireland were to be deplored; but would he affirm the converse? Would he affirm that the House rejoiced at it? If votes were taken by ballot that might be the opinion recorded by some in that House who rejoiced in the depression of Ireland—but he did not think any one would openly say it. It could not be doubted that the reason the Irish people went abroad was because they could not exist at home; and why? Because the Government drained Ireland, not of water, but of people and of money. An answer had been attributed to an Englishman, a Lord Lieutenant of Ireland, who when asked "Why do you not drain the park?" replied, that they were too much engaged in draining the rest of the country. It had been said what matters it that £5,000,000, as in the case of the fortifications, even £10,000,000 taken from Ireland should be spent in England; but he could not see that if they drew money from one country to spend it in another they made the country from which it was taken the richer by the process. They had drawn the wealth of Ireland away in every shape and form, and all that Irish Members asked was to get back their own. When the hon. Member for Sheffield stated they came begging to that House, he denied that they asked for any boon. The Shannon drainage was an instance of the manner in which England governed and robbed Ireland. It was stated in the first reports made on the subject that Government expected that it would repay itself, and did not ask for a guarantee from the neighbouring counties, but it was soon found it was an illusion of their own engineers. When the Shannon drainage was undertaken, the works were carried on upon so bad a principle that part of the country was inundated which was not inundated before. It was said, indeed, that navigation was the object, but it was certainly only a secondary object and not incompatible with drainage. Finding the work would not pay, acts were then passed imposing taxation for their completion on the counties, and they were said to have laid that taxation on them unequally and unfairly. It was stated that the counties adjoining the Shannon were not taxed so much as the counties which were remote. Even the Isles of Arran, out in the Atlantic, were taxed as well as the counties through which the Shannon ran. In what possible way could these islands benefit by the Shannon navigation? But all that Irish Members asked was that the works which were undertaken should be carried out, according to the first engagement, but which if left in their present state by a private person who contracted for their completion would make him liable to an action at law. Self-reliance was recommended as the grand cure. Self-reliance with capital no doubt was a very good thing, but if all the money was taken away self-reliance would not enable speculations to be carried on with success. True, they had had a good harvest in Ireland, but the prices were low; the consequence of free trade in corn, and a country totally agricultural could not expect to gain much from free trade in its productions. It had not benefited, therefore, owing to a measure framed for the special benefit of the manufacturers of this country. The injury which would be done to Ireland by free trade in corn was admitted when that measure passed; and that was the reason why the late Sir Robert Peel admitted that the taxation of Ireland should be different from that of England. No doubt the owners of cattle received large prices, but they were only the large farmers, and the conversion of moderately sized farms into those for feeding cattle, on which few hands were required, necessitated the emigration of the people. No man could rear cattle on a small farm; and if no price were given for agricultural produce he must give it up and go away. Thus free trade in corn was the primary cause of emigration from Ireland. The attempt to save Ireland by promoting the growth of flax to a large extent anywhere but in the north was the greatest nonsense. The more flax was grown in the south the greater would be the supply thrown into the market, and the more its value in the north would be diminished. If the importation of cotton reached (required) the amount formerly imported from America, the price of flax would be reduced, and Ireland in a worse position than she was now. There was, however, one good which the growth of flax might do, and that would be effected if the people made of it, as they used to do, clothes for themselves at home and never came to Manchester for them; and these home made clothes, made of flax and wool, or both mixed, were far better and more durable than the gaudy cotton rags of Manchester. Manchester should be left to herself as the natural enemy of Irish industry. This year flax had been grown to an extent that would not pay for its cultivation. There seemed to be an attempt to persuade this country that Englishmen knew Ireland better than the Irish themselves. Englishmen told them that Ireland was prosperous. An hon. Friend of his had travelled from Galway to Cork—part of the way by an outside car, which was the usual style of political observers and quacks from England of studying the condition of the country—and because he saw sundry national schools and coastguard stations, he immediately published a letter proclaiming that Ireland was prosperous and only required the abolition of the Lord Lieutenancy? But it was the duty of Irish Members when they heard such things to stand up and declare that the prosperity of Ireland was a total fiction. He would vote for the proposition of the hon. Gentleman, though, in fact, the affirmation of it would not be of much value, nor would the Irish people care very much about it, for it was a mere abstract or omission of sympathy to which alone they would attribute but little sincerity, accompanied by some practical evidence. The Government ought to hold out some hopes that measures would be taken to improve the condition of Ireland.

Colonel Dunne

SIR FREDERICK HEYGATE explained that the reason why the Committee on Irish taxation did not make a report last year was the lateness in the Session at which they had concluded their labours, and not any want of ability to arrive at a conclusion. He took exception to some of the statements made by the Chancellor of the Exchequer with regard to the income tax and assessed taxes. As to the former, the right hon. Gentleman said there was an allowance in favour of Ireland, because great part of the country was rated upon the Government valuation, and was therefore rated under its true value. But his own experience was that in Ulster, at all events, no advantage was enjoyed on this score, and there were very few landlords who did not pay income tax upon a sum which they did not receive. As to the alleged exemption enjoyed by Ireland under the assessed taxes, it appeared from a return presented to this House that the number of inhabited houses in Ireland of the value of £20 and upwards which would be subjected to the house duty of 9*d.* supposing such a tax existed in Ireland, was only 33,763, and these would produce about £20,000 a year. A duty on horses in Ireland would amount to about £30,000 a year, so that the total exemption in favour of Ireland under these two heads amounted to the magnificent sum of £50,000 a year, while from these sources £1,280,000 was drawn in England. The number of servants who would be liable to duty in Ireland was very small. As to the duty on hair powder, he would leave other hon. Members to state the value of this exemption, but he decidedly differed from those who thought the exemption of Irish dogs from duty was a boon to the country. The right hon. Gentleman had also stated that Ireland escaped taxation in Schedule B; but this was a fallacy. The hon. Member for Chippenham, who had recently visited Ireland, said he was horrified to see the wretched condition of the cabins and farm buildings, and at once jumped to the conclusion that it was the duty of landlords to put these buildings into good repair and to erect good houses. Here, however, the hon. Member fell into an error which was common to a superficial observer. It was his own opinion when he first went to that country, but afterwards he saw that it would be a useless expenditure to build cottages for a population who could only obtain very irregular employment on the land, and who would be much better away from the locality. Again, what was the use of putting up farm buildings on small farms, many of which were not more than from five to ten acres in extent? The hon. Member for Dungarvan (Mr. Maguire) proposed a remedy for the evils of Ireland in the shape of ninety-nine years leases, but before these could be had, there must be farms of a proper size and farmers with proper capital. But, apart from leases, he did not understand how it could be assumed that landlords were so blind to their own interest as not to secure a good tenant when they got one. In Ulster, tenant-right had no doubt worked well on the whole; but the well being of the province and the security which was felt there were attributable far more to the superior energy of a very active race than to the prevailing custom of tenant-right. Was it reasonable to suppose that any amount of tenant-right would suffice to retain a tenant on a farm of five or ten acres with the present low prices for agricultural produce? The fact was that great part of the evils from which Ireland was now suffering arose from free trade. He was never anything but a Freetrader, and free trade was, no doubt, greatly to the interest of England. But in the case of a poor country like Ireland, which could receive little compensation from free trade in the towns, and had a large proportion of the people dependent upon the land, deriving a precarious living from it at the best, owing to the influences of climate upon the grain crops, the great revulsion of prices must prove generally injurious. They were now told to put the land down in grass. Supposing that could be done, which he denied, the result must be to give a great stimulus to emigration, and in Ulster, for example, they must get rid of two-thirds of the people who farmed land under twenty acres in extent. If this was not to be, and he should not like such a wholesale emigration, what were they to do? There was very little trade or commerce in Ireland, and, therefore, however beneficial free trade might be to a great manufacturing country with great capital at its disposal and immense advantages in the shape of machinery, to a poor country like Ireland it was anything but a blessing. It was said, "Why don't you take to trade?" Now, he had seen persons try to set up in Ireland some manufacture which would employ the people of the neighbourhood, and directly they were found to be doing well some man came over from Scotland or England and imported the same articles at a lower price than they could be produced for on the spot, so that the trade was destroyed. Our colonies had found this out, and Canada, Australia, and New Zealand had been obliged to defend themselves by putting protective duties on English manufactures. The United States did so too; and these countries had only acted on the principle which he maintained—namely, that it was impossible for a comparatively poor and rising country to establish manufactures in the face of the enormous competition which great command of capital and of machinery gave to another nation. Those who spoke of the large amount of Irish emigration forgot that there had been a large migration from the English counties to English towns; while in Ireland, owing to the want of local trade, the country people had been unhappily forced to cross the Atlantic. It was difficult to get from the Census returns a reliable decision as to the extent of the migration of the purely agricultural population in England, because in almost every English county there was a large town which partly destroyed the calculation. But in Cambridgeshire the decrease of the agricultural population between 1851 and 1861 was 9,435; in Norfolk, 7,292; in Rutland, 1,124; and so in Suffolk and Wiltshire. The state of the population in London alone showed how great this migration was, for out of its 2,700,000 inhabitants more than a million were not born in London, and a considerable proportion of them no doubt came from the country districts. Such a migration benefited the town and did not injure the country, but it was very different with regard to Irish emigration. A good deal had been said about the cultivation of flax in the north of Ireland; but the conclusion of those best qualified to judge was that, while within the last two years the production of flax had doubled in Ulster, its gross value remained pretty much what it was, and the small farmers bitterly repented that they had not taken the advice which had been given to them. As cures for the evils of Ireland, growing grass, getting rid of tillage, and growing flax were fallacies. He was afraid, however, that he must come to the same conclusion as the Committee. They found all the evils, but when they came to the remedies no two people agreed. He had himself nothing to recommend—he was equally at a loss to suggest a cure. He regretted as much as the hon. Member for the King's County the decline of the population of Ireland, and he regretted that there should be that want of employment which had caused the decline. He took exception to the words "stimulate the employment of the people," in the hon. Gentleman's Motion, for stimulants were not wholesome either for nations or individuals. If any well devised measure to remedy the evils of Ireland were brought forward, the Government could need no inducement to lend their support to it. It was the interest of everybody in the country to do so; for when Ireland or any other member of the body corporate was sick all the rest of the body must feel it. He could not support the hon. Gentleman's Motion.

Mr. BENTINCK said, that one of the complaints urged by hon. Members connected with the sister country was that Englishmen took no interest in Irish questions. Now, he must be exempted from that charge, for he was for many years connected with Ireland by the ties of property; and for forty years he had visited one part or another of the country. There were one or two remarkable circumstances connected with the present discussion. An admission had been made by more than one Irish Member that the great cause of the poverty and distress of that country had arisen from what was commonly called free trade. He believed that opinion to be perfectly correct. But, if he had made an assertion of that kind, he should have been accused of raising the ghost of Protection. He remembered that when the questions of free trade and protection were under discussion it was said that the late Mr. O'Connell foresaw the difficulty, and that he so fully anticipated what would be the effect of what was called free trade, more particularly in the south and west of Ireland, that he paused for some considerable time before he made up his mind to throw the seventy votes which were at his command into the scale of free trade. He, however, did so, and the motive imputed to him at the time was, that the effect of free trade in Ireland would be to ruin the great majority of the landowners, and in furtherance of that object he was willing to risk the ruin of the cultivators of the soil. He believed that the subtraction of £5,000,000 a year derived by Ireland from the monopoly of the English corn market, had been the chief cause of the distressed state of that country. One of the great misfortunes of Ireland was, what he might call the self-delusion under which the people of that country laboured, and the principal of these delusions he held to be what was called the land question; but what was more commonly known by the name of tenant-right. His attention had been much directed to that question, and he would frankly say, that the only conclusion at which he could arrive on it was, that if it were possible to pass a measure of what was called tenant-right, it must be one of two things—it must either be a dead letter and a waste sheet of paper, or it must be an act of confiscation, the transfer of the land from the landlord to the tenant. It was a great misfortune to the mass of the population of Ireland that they should be led to believe that there was in store for them some measure based on that foundation, which would be beneficial to them. It was with nations as with men, and when men expected to derive assistance from a collateral source, nothing tended so much to paralyze their energies and exertions, and he would venture to say that they were anything but friends of Ireland who wished to persuade the Irish people that tenant-right could work beneficially for them. There was another remarkable peculiarity with regard to Ireland, and that was the great attention that was paid to agitators and demagogues of every description. It was true that there were demagogues and agitators in England, but the difference between the two countries was this—that in England they were generally paid either directly or by what was called a testimonial for preaching their incendiary doctrines, and they were received with very little attention except by the packed audiences who were prepared to cheer them. But in Ireland that was not the case; there was an amount of faith in agitators which had the same dangerous consequences as that which he attributed to flow from the doctrine of free trade. It led them to hope for something to come which was perfectly impossible, not to trust to their own energies, but to look into the clouds for something to do that work which they ought to do for themselves. Having ventured frankly to state his opinion as to their misconception of their own condition and interests, he would say that he believed they had a great and serious ground of complaint, and he believed that grievance to be that Ireland had never been fairly or justly governed for the last forty or fifty years. Ireland had unfortunately been made the battlefield of English politics, and every description of means had been resorted to in order to raise Irish passions for the purpose of forwarding English political objects. He was not dealing with this as a party question, but he contended that the whole tendency, and the whole policy, of what was commonly called Liberal Government in Ireland for many years past had been to create confusion and disorder in that country. And for this reason. They had invariably for their own political objects encouraged one portion of the population, not the most orderly or the most quiet; and, on the other hand, they had discouraged and oppressed many of the most quiet and orderly people in Ireland. The Liberal government of Ireland had been at times a perfect farce. Many hon. Members would recollect two or three remarkable facts in connection with the government of Ireland. One distinguished representative of Royalty in that country, when an attempt was made to upset the law of the land as it then stood, called upon the people of Ireland to "agitate, agitate, agitate!" He expressed no opinion as to the merits of the question respecting which they were to "agitate." Another distinguished man in the same position, by way of keeping up social order in Ireland, associated himself with a newspaper of so discreditable a character that it was a disgrace to any civilized country, and the reason given for that association was that that remarkable journal had undertaken to write up the cause of law and order. Another Lord Lieutenant of Ireland took upon him one day to celebrate some great anniversary by turning forth the whole refuse of the gaols of the country. That was considered a popular measure. When attempts were made to obtain that description of popularity, by those who ought to represent the law and authority of the country, and, moreover, when the law was not in all cases fairly and justly administered, he contended that so long as disunion and discord existed in that country, the Government by whom the law was mal-administered must be considered responsible for that state of things. He had heard many grievances put forward—some of them of a more vague character than others, but he had never heard, with one exception, a remedy suggested. That remedy was the one implied in the Motion of the hon. Member for the King's County, and it amounted in plain English to this—that the House should sanction a loan to Ireland for the purpose of carrying on public works. Now, he did not believe that the plan proposed would be either conducive to the welfare of Ireland, or an act of justice towards the people of England. He desired to see the prosperity of Ireland, but he was at a loss to understand on what ground the House could be asked to levy a large amount of taxation on a portion of the country in order to assist another portion. He had constantly endeavoured to resist attempts to benefit one locality at the expense of another; and on these grounds could not give his vote for the Motion.

Mr. MONSELL regretted that the hon. Member for Norfolk had introduced into the debate a number of exciting subjects. The hon. Member considered that free trade had been the destruction of Ireland. Now, if he would take the trouble to look at the Devon commission he would find that five gentlemen of the highest intelligence had reported that the Irish people were the worse clothed, the worst fed, and the worst housed people in the universe. That was the happy condition of the people under the old state of things. With regard to the remarks of the hon. Member respecting the Liberal Government, no doubt that Government had many faults, but he could tell the hon. Member what it had done—it had delivered that country from the admonitions and ascendancy of men like the hon. Gentleman—men who declared against the agitation for Catholic emancipation, and who prevented that country from obtaining a single halfpenny by way of loan. Passing from the speech of the hon. Member, he came to that of the Chancellor of the Exchequer. The right hon. Gentleman had entirely mistaken the object and scope of the Resolution of the hon. Member for the King's County. What the hon. Gentleman desired to do was to repeat his Motion of last year—to state that Ireland was at the present time in so degraded and lamentable a condition that it was the duty of the Government and of the House to adopt some exceptional measures to assist her to escape from that deplorable condition. The right hon. Gentleman the Chancellor of the Exchequer objected to the Motion, because it was likely to excite expectations that could never be realized, and thus be the means of disappointment and discouragement to the people of Ireland. But in answer to that he could quote the words of the noble Lord at the head of the Government, who last Session, in a debate upon a Motion similar, if not exactly identical, said—

> "That he hoped the hon. Member who had brought forward the Motion would be content with the expression of feeling which he had elicited from all sides of the House, and not divide, as it was the intention of the Government to bring forward some such measures as those indicated by the hon. Gentleman."

And the right hon. Gentleman the Member for Cambridge (Mr. Walpole) on the same occasion expressed a hope that the hon. and learned Member for the King's County would not press the House to a division precisely for the same reasons. He said the hon. Member ought to be perfectly satisfied with the opinions which had been expressed in the House, and that, in fact, he had by the discussion gained his point. Under these circumstances was it quite fair for the Chancellor of the Exchequer now to come before the House and say that this was a new thing, to which the Government had not had time to give attention, and that therefore the Motion ought to be withdrawn? The Chancellor of the Exchequer said he wanted to apply *bonâ fide* equal justice to England as well as to Ireland, and it was on that assertion that he (Mr. Monsell) would take leave to rest all the observations he had now to make. He would, consequently, put this question to every Gentleman in the House, he did not care whether he was English, Scotch, or Irish —namely, supposing the whole empire was now in the state in which Ireland was, would the inaction of the Government be tolerated for one moment. Supposing England and Scotland, the population of which in 1841 was 18,000,000, had dwindled as Ireland had done since 1841—that was to say, the population of Ireland had fallen from 8,100,000 to 5,600,000 and the decrease in England and Scotland, in the same ratio, would be from 18,000,000 to 13,000,000—would the House permit the Government for one single instant to remain idle? Would they consent to see Great Britain reduced to a second-rate Power in Europe without making a single effort to discover what was the reason for such a lamentable state of things? That was what they the Irish Members really felt in the matter. He could not conceive any Irishman who did not feel the present condition of his country with the deepest sorrow and regret. It was perfectly true that those people who were miserable and half employed here did well to seek countries where they escaped from their misery and found abundance of employment; but would not they be much better satisfied if they could discover some means whereby they might be employed and comfortable in their own country? He understood the hon. Member's Motion to be directed to that end. The hon. Member said "here is this lamentable state of things; is it possible for the House to remove any obstacle to development of the industry of Ireland?" The hon. Member had not at his disposal the means of information possessed by the Government, and would be content if by any means whatever these obstacles were removed. The hon. Member's object was the substance of the Motion, and not the means suggested in his speech. He (Mr. Monsell) was quite aware (and he believed he was almost quoting the words of the late Sir Robert Peel), that it was impossible to place Ireland in a right state by any one measure—it was necessary to have a series of measures for that purpose. He hoped, however, the suggestions he was about to offer would assist the object they had in view—that object being to keep their people at home in comfort and employment, instead of allowing them to be miserable and idle at home, or compelling them to seek employment and comfort in another country. But before he went into those questions he would ask the House to allow him to show, on undoubted authority, what was the condition of that part of the country in which he (Mr. Monsell) lived. He quoted the deliberate opinion and judgment of a gentleman employed by an influential body, the intelligent manager of a bank in the county with which he (Mr. Monsell) was connected, in a Report addressed by him to the London directors with a view to guide these gentlemen in the course they were to pursue with regard to the monetary transactions of the bank. In the first place, he stated that with regard to wheat, oats, and barley, the crops were extremely good, and that of potatoes excellent — indeed far better than for a number of years past; and then he described the condition of the farming class. This, it must be remembered was not a description of them in a year of famine or in a bad season, but at a time when the crops were good and the harvest beyond the average even of good years. He said the large holders of land were very well off, but the small holders, who depended mainly on their tillage, were daily becoming poorer, and losing gradually but surely all their capital. The labouring classes, he said, never had regular employment, and never received fair and proper wages; that as a class they were neglected and suffering; that the small farmers and shopkeepers, as fast as they could procure the means, were leaving the country, and that under existing circumstances, the tide of emigration was more likely to continue than to cease, unless arrested by the introduction of manufactures or the employment of capital for the improvement of the cultivation of the land. The hon. Gentleman who spoke last complained of "agitation," and insinuated that capital was not safe in Ireland. But the Chief Secretary for Ireland would confirm what he (Mr. Monsell) said when he asserted that at this moment in the agricultural districts there was no crime at all; that the country was as quiet as any country in the world, and that it was quite safe to invest capital in almost any county at this moment. Take, besides, the case of the manufacturers. He had been at the trouble to obtain reports from Cork, Waterford, Limerick, and Dublin, and he was assured by the large manufacturers whom he had consulted, that they never had the slightest difficulty with their workmen; that there were no strikes or turbulence, and that they had never had the slightest difficulty in fulfilling their contracts and completing works which they had undertaken. It was a remarkable fact as regarded Ireland that under the very trying circumstances of the last three or four years, during which the number of power-looms employed in the manufacture of linen had increased from 3,700 in 1861 to 10,000—an increase which, no doubt, had thrown out of employment multitudes of hand-loom weavers, there had not been a single strike or difficulty in that trade. And therefore so far as obstacles and impediments by violence to the employment of capital was concerned, there were none; and if he were inclined to draw invidious comparisons with what had taken place in this country only within the last few months as to strikes, he might say that capital was not only as safe, but safer in Ireland than it was in England. He now came to the point, by what means were they, the Parliament, able to assist in any way in promoting the employment of labour, and of bettering the industrial resources of the country? With respect to drainage and the extension of arterial drainage, he agreed with the hon. Member that those would be most important aids, for which they need only ask that loans on liberal terms should be given. He did not refer to the disputes respecting the Shannon, as they turned altogether on other considerations; but were there no other remedies? He would not say anything about the reclamation of waste lands, as he was not quite so sanguine on that subject as his hon. Friend. He recollected very well, towards the expiration of last Session, the Attorney General for Ireland, now Mr. Justice O'Hagan, laid great stress indeed upon the importance of passing through the House a Bill for the better security of title. He was sorry to hear that the Government did not intend to proceed with that measure this Session. But the bearing of that Bill on this question was obvious—it was most germane to the subject now before the House. There was amongst a certain class of farmers a considerable amount of capital. Though the small farmers were in a bad condition, there was a considerable amount of capital on deposit receipts at the banks. This would be evident if they observed the enormous sums given for the acquisition of land on very short leases indeed. In his own immediate neighbourhood he knew of a farm of 100 acres let on a seven years' lease at £2 6*s*. 6*d*. per acre, and £1,500 was paid for the interest of the out-going tenant in that farm. Would it not, therefor, be of the greatest possible importance to simplify in every way the transfer of land, and to allow companies to purchase large estates and sell them out in smaller lots like the farm he had mentioned, and by that means enable the farmers to become proprietors? The effect that would produce in Ireland hon. Gentlemen not connected with that country would hardly be able to understand. It would instil into the people a spirit of hope, and develope their natural industry. It would stimulate them to scrape money together that they might no longer pay rent to a landlord, but become themselves possessors of land. He believed that if this were done, even on a small scale, the result would be one of enormous importance. He did not think the House was at all aware how quietly the Irish people were swayed by considerations such as that, and a measure of such a nature would inspire them with a hope that the Government and Parliament at last were willing and anxious to assist them by removing every obstacle to their industry, and that the end of their difficulties and distresses was not far distant. The oration delivered by the hon. Gentleman the Member for West Norfolk would have been more in character ten years since, for he could assure him that the people of Ireland did not want confiscation but the realization of the scheme of Judge Longfield, either that the landlord should provide permanent buildings for the tenant, or that if the latter erected them that he should have an occupation for such a number of years as would enable him to compensate himself out of the produce of the land, or that if the landlord wished to get rid of him he should be compensated for them. A drainage scheme such as that suggested by his hon. Friend would confer great benefit on Ireland, as would also the development of the railway scheme in that country; and he knew of no question of greater importance that could be entertained by that House than a measure that would tend to develope the resources of Ireland by means of railway communication. Some twenty-five years ago great distress prevailed in Belgium, and one of the first things that was done in that country by M. Rogier to mitigate its severity was the establishment of cheap transit through the country by means of railway communication. He was informed that the Belgium prices were one-third less than those in Ireland, and yet the Belgium railways were in a flourishing condition. In Ireland the prices of transit were not regulated according to the circumstances of the country, but they were assimilated to the high prices of the English railways, and, therefore, the establishment of a system that would give control over the Irish railways would be attended with beneficial results to Ireland. In 1841 the manufacturing distress that prevailed in Belgium was met by the establishment of schools for the education of manufacturing apprentices. The schools were established very generally throughout the country at an expense of between £4,000 and £5,000 during that year, and they were the means of giving instruction to about 3,000 apprentices, and the result was according to the official report of the inspector, that they had largely answered the object for which they were established, not only by the performance of good work, but by the introduction of new kinds of manufactures hitherto unknown in the districts where they had been established. He had no doubt but that her Majesty's Government could suggest far better measures than he could propose for the benefit of Ireland if they were only determined to grapple with the subject and exert themselves with a determination to meet the difficulties that had been pointed out. He felt certain that if Her Majesty's Government would only improve on his suggestions, and move in that direction, that their exertions would be attended with results of the greatest possible benefit and advantage to Ireland. The people of this country must not delude themselves with the idea that as the population of Ireland diminished the residue became happy. At the last census the number of inhabited houses was divided into four categories, and it was then found that the first and second class houses had increased more rapidly between 1841 and 1851 than between 1851 and 1861, and if they referred to the writers of the last century, and especially to Dean Swift, they would find that when the population of Ireland was only 2,300,000, and when there was hardly any tillage going on in that country, the population was described as the most miserable that existed on the face of the earth. It did not follow necessarily that with the diminution of the population the misery of those that would be left behind would be diminished in proportion. He wished he could receive an assurance from the noble Lord at the head of the Government that he would himself take the matter up, for he should then feel confident that something would be done for the permanent prosperity of Ireland. He recollected the energy which the noble Lord exhibited during the Russian war, and if he would only devote the same attention to and thought for Ireland which he at that time bestowed for the honour of this country—if he would really attempt to remove the plague spot from that country—he was sure he would succeed, for in so doing the noble Lord would be met by the grateful feelings of the Irish people, and the knowledge that he was making an effort in that direction would inspire hope in the breast of every Irishman.

SIR ROBERT PEEL: Sir, I am glad to have an opportunity of following the right hon. Gentleman who has just sat down, because he has touched on one or two topics which I desire to notice. My right hon. Friend the Chancellor of the

Exchequer has answered the hon. and learned Gentleman (Mr. Hennessy) as to the course which the Government intend to take with reference to the Motion on the paper; but I am not sorry that the hon. and learned Gentleman has taken the earliest opportunity of acting on the notice which he gave on the first night of the Session, that he would bring before the House the state of Ireland; and I shall endeavour, without exaggeration or any undue colouring, to allude to the several topics which constituted the main features of his speech. The hon. and learned Gentleman entered largely into statistics in order to support his arguments; and, although the hour is getting late for that purpose, yet I admit that it is from that source more than any other that our conclusions must be drawn, and that we can derive a fair insight into the state of the country, both as regards its present position and its future prospects. In the course, therefore, of the observations I have to submit to the House, I shall, with their permission, quote a few figures to establish my own conclusions; and I do so because they furnish facts, the study of which is a matter of primary importance, as not only pointing the attention of Gentlemen in this House to what I conceive to be the real interests of the country, but as also exhibiting in their proper light some of those erroneous notions which are so confidently put forth on occasions in order to support opinions which I believe are not justified by facts. The hon. and learned Gentleman adverted to certain observations of the Chairman of the Great Southern and Western Railway, and attempted to show that the state of Ireland was undoubtedly one of decline; and several other Gentlemen who have spoken, among others the hon. Member for Clonmel, and the hon. Member for Londonderry, and the hon. Baronet the Member for the King's County, all maintained that the condition of that country did not warrant the allusion made to it in the Speech from the Throne. Well, I am prepared to vindicate that allusion, and I trust the House will give me credit for seeking to do so without any exaggeration. I cannot agree with the hon. Member for Clonmel, (Mr. Bagwell), who said that the state of Ireland was one of appalling distress; far less can I agree with the remark of the hon. Member for the King's County (Mr. Hennessy) that its condition was absolutely distressing; that it was great nonsense to talk about the cultivation of flax, and that every one he had conversed with was in no way satisfied with the paragraph in the Speech. Dealing first with the hon. and learned Gentleman, I must say I was struck with the observations of the Chairman of the Great Southern and Western Railway, and took occasion to make inquiries with regard to them. It is essential that this matter should be placed before the House in its proper light. The Chairman of that important railway, which one hon. Member said was a great index of the prosperity of the country, argued that because the carriage of cattle on railways had decreased, therefore, the number of cattle in Ireland must be less. Now, if you compare the receipts by this railway for the carriage of cattle from 1859 to 1863 with the number of cattle in the country as given in the agricultural statistics, you find that the receipts from the carriage of cattle increased each year that the number of cattle in Ireland diminished, and that 1864—the first year since 1859 in which cattle were ascertained to have increased—was the first year since 1859 in which the receipts upon cattle diminished. That certainly is a convincing proof that the argument used by the Chairman of this railway company was most erroneous. The real truth, say what you will, is that cattle and sheep have both considerably increased during the past year. Cattle have increased during the past year, compared with the year preceding, by 113,078 head; and the number of sheep has increased by 54,864. That is a very considerable increase under those two heads. But the Chairman of this railway company went on to say—

> "By Returns it appears that there is a decrease of cattle shipped from Dublin during the last six months of 17,209, and a decrease of sheep of 31,475. The decrease from Cork is—cattle, 18,333; sheep, 18,819; making a total decrease from these two ports of 75,836 head of cattle and sheep. Within the last six months the decrease of cattle shipped from Dublin was 17 per cent, and the decrease of sheep 19 per cent. The decrease from Cork was 60 per cent of cattle, and 46 per cent of sheep. The decrease from Waterford was 50 per cent of cattle, and 45 per cent of sheep."

But I have shown that both cattle and sheep in Ireland have undoubtedly increased in number. In July, 1863, there were 3,144,231 cattle in Ireland; and in July, 1864, there were 3,257,309. The number of sheep in July, 1863, was 3,308,204; and in July, 1864, there were 3,363,068. I should like very much to ask the chairman of this railway company whether he cannot understand why there should have been a diminution in the exportation of cattle last year. It is quite clear that in England there was a far greater scarcity of hay and winter keep than in Ireland. And, more than that, the small farmers in Ireland have been in a state of suffering and distress for many years; but last year there was an acknowledged increase of over 100,000 head of cattle, and they would evidently be desirous of retaining their cattle in Ireland, when the keep in England was not such as to induce purchasers to send for them to the former country, and when a larger number of farmers in England were able to rear and fatten for themselves. I think, then, that so far from this indicating a diminution of prosperity on the part of the farming interest of Ireland, it does quite the reverse. You may fairly judge, therefore, that the increase of cattle in Ireland is a symptom of steady recovery from that pressure that existed in 1861, 1862, and 1863; and that is a result with which we ought, I think, to be gratified. The hon. and learned Gentleman referred to certain Returns as regards emigration, and he found fault with me for having last year overstated the diminution in the number of persons who were leaving the country. Now, the hon. and learned Gentleman referred to Returns for seven months only, whereas I referred to an entire year; and I still maintain that although, perhaps, in the seven months the diminution has not been so apparent, yet on the whole twelve months of 1864 there has been a certain decrease in the number of persons leaving the country. The number who left the country in 1863 amounted to 117,000, whereas in 1864 there were only 114,000; so that there was an actual diminution of about 3,000. That, I admit, is not much; but when I hear it said that people are leaving the country in continued numbers, I must be allowed to say that I have here the statistical Returns which have just been completed, and I find that comparing the month of January, 1865, with that of January, 1864, there is a very considerable decrease—to the extent of 2,389; that is to say—in January, 1865, there were only 2,874 who left Ireland stating their intention not to return; but in the corresponding month of 1864 there were as many as 5,263 who stated that they did not intend to return. I was right therefore, in saying that a very considerable decrease was manifesting itself in the number of persons leaving the country. But a vast variety of reasons have been given why those persons are leaving the country. During the last autumn, the noble Lord the Member for King's Lynn (Lord Stanley) visited Ireland, and stated at a public dinner at Tipperary that he believed the emigration from Ireland was owing to the American war. But there were people in Ireland who entertained a totally different opinion, and who say directly that war closes there will be a very considerable increase in the emigration. That view may be right or wrong; but of this I am certain, that there are two reasons which in my mind to a very considerable degree account for this drain. One is the want of adequate employment in the country for this class of persons, and the other was alluded to by the hon. Member for West Norfolk (Mr. Bentinck)—the illusion that exists with regard to the security of tenure and the want of means of enforcing compensation to tenants for improvements. I think a great deal of mischief has been done by what the hon. Member for West Norfolk justly called visionary schemes upon that subject, and which I entirely agree with him can lead to no practical good. I hold in my hand an extract from the Report of the Committee for Inquiring into the Condition of the Poorer Classes in Ireland in 1836, and it represents what is really the condition of the people. The Report states—

> "There is not in Ireland the division of labour that exists in Great Britain; the body of the labouring class look to agricultural employment, and to it only for support. The supply of agricultural labour is thus so considerable as greatly to exceed the demand for it, hence come small earnings and wide spread misery."

That is precisely the reason why at present the condition of the poorer classes in Ireland is not such as those who take an interest in their welfare wish to see; but at the same time I am bound to admit, although I regret to see those persons leaving the country, they all go buoyed up with expectations of doing better elsewhere; and there being no adequate employment for their labour, it is the interest of themselves and their families that they find labour elsewhere when they cannot get it at home. I own I was astounded at one observation that fell from the hon. and learned Member, when he said with reference to the diminution of population that he believed the area of Ireland would support 37,000,000. [Mr. HENNESSY: No; I only quoted Blacker to that effect.] I certainly understood the hon. and learned Gentleman to adopt the authority he quoted. ["No."] Well, at all events, he coquetted with it. When I quote an opinion in this House I adopt it, unless I state to the contrary. The hon. and learned Gentleman now says he merely quoted "Blacker." Who is "Blacker?" Just observe what would be the consequence if the "Blacker" system prevailed in Ireland. There is no country in Europe which has a population exceeding 246 persons to the square mile. Ireland at this moment has a population of about 151 or 156 per square mile; but if the calculation of "Blacker" were adopted we should actually see a state of things in Ireland in which there would be more than 1,000 persons per square mile over the whole area of Ireland. It was quite evident that that gentleman knew nothing of the country. At all events, there would be, according to "Blacker," many thousands who would be planted in bog, without any possibility of maintaining their existence. Reverting to what is called the insecurity of tenure in Ireland, it has been said that tenants-at-will are synonymous with insecurity of tenure. But surely the landlords of Ireland would not be so dishonest, or actuated by such base motives, that if a tenant did his duty to the land they would eject him, or that as a general rule he would be under the apprehension that his tenure was insecure. I do not believe that that is the case, and I regard the advocacy of the doctrine known as tenant right as calculated to do a great deal of mischief; it would bring no benefit to the occupier of the land, and has the effect of leading him to form visionary hopes and expectations which never could be realized. I am happy to say that the Return I hold in my hand does not bear out the gloomy statements of hon. Members on this branch of the subject. I am happy to say there is a great improvement in the relations bteween landlord and tenant in Ireland. This is shown by the diminution in the number of evictions that have taken place. In 1849 the number actually evicted for non-payment of rent amounted to 72,065 persons; in 1850, to 74,171; but in 1864 the number was 7,889, and in 1863, 7,883. The diminution is really not only most satisfactory but most remarkable. My hon. Friend the Member for Londonderry said he believed the Returns last year with reference to the crops were much overrated. In anticipation of this Motion, I have taken the pains to ascertain, by every means in my power, from poor-law inspectors in the different districts, and others well acquainted with the condition of the poor, what was the general feeling. The harvest returns afford very interesting topics of consideration. The right hon. Member for Limerick observed that the potato crop had been of extraordinary magnitude. The rate of produce of potatoes last year was actually double that of the unfavourable years of 1860, 1861, and 1862. It was also higher than the rate for the highly favourable years 1856, 1857, 1858, and 1859. The total produce of potatoes last year was 4,312,367 tons, or a million tons more than in 1863. The hon. and gallant Member for Queen's County (Colonel Dunne) spoke disparagingly of the increase of the growth of flax in Ireland, but I regard the matter in a different light. The Government had been urged by gentlemen interested in the welfare of Ireland to encourage the growth of flax in that country, and they had accordingly sent qualified persons into different counties to instruct small farmers in the cultivation of that crop. The result was that an enormous return had been derived from it during the last year. I think the hon. Member for Dungarvan and others deserve much credit for their exertions in promoting the extension of this useful crop. When I stated at the opening of the Session that the value of the flax crop in Ireland last year was over £4,000,000, my estimate was questioned; but, on inquiry, I learn from Sir Robert Kane that the amount is nearer £4,500,000. We have now 87,843 acres more than in the year before last under cultivation for flax. In 1864 the number of acres was 301,942, while in 1863 it was only 214,099. Then, again, the wheat crop shows a satifactory rate of progress. The produce fell off very much in the wet seasons of 1861 and 1862; but last year it was higher than the average of the four good years 1856 to 1859 inclusive. The estimated average produce of wheat per statute acre is also gratifying. Thus, we find potatoes, wheat, and flax, all showing an increase compared with the yield in the previous year. In fact, the only crops which last year in any way disappointed the expectations entertained, were hay, which was below the average, and oats, which was not so favourable as in 1863. On the whole I confidently submit that the condition of Ireland justifies that paragraph in the Queen's Speech to which allusion had been made, and that the statistics show that there is a satisfactory improvement in the state of Ireland. A diminution of offences is also observable in the criminal statistics. Agrarian murders for instance, which used to be so numerous in 1835-37, being then eighty, seventy, and fifty in a year, last year amounted to only two. I am willing to own that in two districts in the part of the country represented by the right hon. Gentleman who spoke last, and in Galway there has been, and still is, considerable distress; but the rest of the island is in a far better condition than formerly. On the first night of the Session, the noble Lord the Member for Marylebone (Lord Fermoy) startled us by declaring that the poor-rate in Galway was 11*s.* in the pound, but on inquiry I find it is only 2*s.* 1*d.* That shows how cautious we should be in making or accepting hasty statements of that kind. I am glad to be able to say that the savings banks also show an advance. According to latest statistics rendered in October, 1864, there are not less than £8,000,000 of savings in the National and in the provincial banks in Ireland, and in the eight principal banks the aggregate amount of private balances is over £14,000,000. There is a very interesting account in the report of the Postmaster General of the Post Office Banks in Ireland. More than £160,000 is now invested in these institutions, and that betokens the prevalence of a thrifty spirit among the people, which it is to be hoped will continue to spread. I might refer to the trade of Belfast and Dublin, as illustrative of the general improvement. The linen trade of the north of Ireland was last year conspicuous for the success which it enjoyed. Notwithstanding the high rate of discount and the failures in England, there was not a single failure of any importance in that branch of industrial enterprise in Ireland. The fishery returns of Dublin Bay are also most satisfactory. I have received a letter from a gentleman competent to judge of the state of the fisheries, and he assured me that during many months of the last year the receipts of the fisheries in Dublin Bay alone amounted to £40,000 a month. I may point to the private Bills as another indication of the generally prosperous state of Ireland. About fifty Bills come this Session from Ireland for gas, railway, and other works. For the reason stated by my hon. Friend, the Chancellor of the Exchequer, the Motion of the hon. Gentleman opposite cannot be acceded to, and I trust he will not press it to a division. I frankly own that the state of Ireland is not all that could be desired. I should like to see it prospering more than it is, but there is great progress. I quite admit with the hon. Gentleman, that there are districts which have not shared the prosperity we see in other districts, but I would put it to hon. Members and to the country whether, from the statistics which I have submitted, and which I have endeavoured to lay before the House without exaggeration, there are not some grounds for a feeling of satisfaction at the improvement of the country. And this improvement indicates not only present results, but future progress. The hon. Gentleman taunted me with entertaining the belief that there was a better time coming for Ireland. I do believe that there is a brighter future for that country. Let us at all events hope and believe that there is. You may blame the Government if you please for the course of legislation. You may say that the Government has not done all that it could have done; but I do say that when you see education extending throughout the country; when you see trade, manufactures, and industrial enterprise gaining ground, I am justified in saying that the country has made progress. I do not like to hear it said that the people of Ireland are debased and disaffected. I will not share in that language. For my part, I look for better times, and I think they are coming, but if in the opinion of some I should be thought too sanguine, at least I think the House will give the Government the credit of endeavouring to promote the interests of the country. The Liberal party has for a great number of years held the reins of power. For thirty-four years, with slight interruptions, they have administered the affairs of the country, and they are asked what have they done. Well, the Government may point to a number of measures, especially that great one of education passed during that period, church-rate taxation abolished, tithes—a source of so much strife and bloodshed—placed on the land proprietor, the Irish Poor Law established, and by successive amendments rendered more liberal and beneficial in its operation. From this enumeration I think the House will not deny to the Government the credit, if no more, of an honest and earnest endeavour to bring about in Ireland, under the many difficulties with which we have been surrounded, that state of things which represents the material and permanent improvement of the country.

Lord ROBERT CECIL: Ever since the right hon. Baronet has filled the office which he has occupied with so much edification, and I am bound to say also with so much amusement, to the House — ever since, I say the right hon. Gentleman has given the House the pleasure of his services in that post — I have observed that every year we have had a somewhat animated conflict between him and the Irish Members, and the plan of the conflict has always been this:—The Irish Members have come to the House and have said,—"Our constituents are starving. We have the testimony of the priests, who know the people, that they are starving. We live among our constituents ourselves, and we know their distress." On the other hand, the Chief Secretary has replied, "I assure you, my hon. Friends, that you are entirely wrong, and that if the people of Ireland think they are starving they make the greatest mistake in the world. I have been sitting in my office and studying columns of figures, and I can assure you that the Irish people, whatever their stomachs may seem to represent to them, really are not starving. The hon. Members for Queen's County and Clonmel may talk of the distress of their constituents, but I have been in Dublin Bay, I have been corresponding with the fishermen, and I know that the fisheries in Dublin Bay are first-rate; and as long as the fisheries in Dublin Bay are first-rate Queen's County and Clonmel cannot starve." I am going to do a very bold thing. In the few observations which I shall address to the House I intend to assume that when the Irish people believe the testimony of their stomachs, and disbelieve the testimony of the Chief Secretary's figures they are right and he is wrong. I am bound, however, to say that although he spoke in a confident tone I suspect that a suspicion of the truth crossed the mind of the right hon. Gentleman, because after a short and mysterious communication with the more practised wisdom of the Chancellor of the Exchequer, just towards the close of his speech he addressed to us a kind of appeal that if his sanguine hopes as to the prosperous condition of the Irish people were an illusion, at all events we should not dispel that delusion. Now, I confess that I wish for Ireland something better than the Barmecide's feast to which the hon. Gentleman desires to introduce her. He has acknowledged one fact which no delusion can alter. He has acknowledged the fact that the population of Ireland is draining away year by year; that those who in any future complications in which this country may be involved would be looked to fight her battles are going away at the rate of an army a year, and are going away, I am afraid in too many instances, to fall into the ranks of our most bitter and most determined enemies. But the right hon. Gentleman tells you with much frankness, "I admit that human beings are diminishing, but at all events sheep are multiplying," and as he congratulates himself with the thought that the produce of Ireland in future days is to be what it has been in the past, he no doubt looks forward to a period more peaceable and more comfortable for himself, when it will be sheep and not Irishmen over whom he will have to rule. An hon. Friend of mine makes an observation which ought not to be lost, that under those circumstances he will probably be able to fleece them more easily. I did not rise so much to reply to the right hon. Gentleman as to say a word with reference to his remarks upon the subject of tenant-right. I feel that between the position of the right hon. Gentleman the Member for Limerick (Mr. Monsell), who has advanced doctrines which he will find it difficult to persuade any House of Commons to adopt, and the caricatured assertion of the rights of landlords which has fallen from the mouth of the right hon. Gentleman (Sir Robert Peel), it will be somewhat difficult for a humble Member of this House to steer his way. My own impression is that any measure which alters the existing state of property as between any two men, be they landlord and tenant, or any one else, must, disguise it how you may, partake of the nature of confiscation. On the other hand, I cannot agree with the right hon. Gentleman that the state of land tenure in Ireland is all that could be desired. You must remember this, the distinguishing point between the state of Ireland and that of this country—that in the former leases are very rare. Why are leases more rare there than here? Because it has not been the custom of the country to give them. And how did that custom of the country come about? I fear from the penal laws which forbade the granting of leases to the members of that faith to which the great body of the peasantry of Ireland belong. The penal laws have been abolished, but if that is the case, though you must preserve with the most sacred respect the rights of the landlords, still it becomes you to inquire with care whether anything can be done to ameliorate the condition of the peasantry, which is, to some extent, the result of former legislation. It seems to me that a great deal might be done by altering the presumption of the law. In England, where it is the custom to grant leases and there is no agreement, there is no presumption in favour of compensation. In a country like Ireland, where the custom is in the opposite direction, it seems to me that the presumption might be in favour of compensation. However, I only throw that out as an idea which occurs to me, and I do not venture to put my own opinion against that of persons who know the country better. I am most anxious to say a few words with reference to the doctrines which we heard earlier in the evening from the Chancellor of the Exchequer. He seemed to lay down doctrines with respect to the granting of aid to Ireland which, though undoubtedly they were inspired by the most patriotic desire to spare the national purse, seemed to me too hard and too theoretical for the actual condition of Ireland on the historical facts to which that condition is due. The principle of the right hon. Gentleman, as I understood it, was this—that you have no right, except under very exceptional circumstances, to make any gift to the people of Ireland for which you must seek resources in the taxation of the rest of the people of the country. That was the principle by virtue of which I understood the right hon. Gentleman deprecated the undertaking of public works specially devoted to Ireland, exemptions from taxation specially bestowed upon Ireland, and, lastly, any considerable system of arterial drainage, such as was recommended by my hon. Friend. Before you can decide what is the remedy for Irish distress, you must ascertain what is its cause. Except the right hon. Baronet the Chief Secretary, we all admit that Ireland is distressed. From what does that distress arise? What is the reason that a people with so bountiful a soil, with such enormous resources, lag so far behind the English in the race? Some say that is to be found in the character of the Celtic race; but I look to France and I see a Celtic race there going forward in the path of prosperity with most rapid strides; I believe at the present moment more rapidly than England herself. Some people say it is to be found in the Roman Catholic religion; but I look to Belgium and I find there a people second to none in Europe, except the English, for industry, singularly prosperous, considering the small space of country that they occupy, having improved to the utmost the natural resources of that country, but distinguished among all the peoples of Europe for the earnestness and intensity of their Roman Catholic belief. Therefore, I cannot say that the cause of the Irish distress is to be found in the Roman Catholic religion. An hon. Friend near me says that it arises from the Irish people listening to demagogues. I have as much dislike to demagogues as he has, but when I look to the Northern States of America I see there a people who listen to demagogues, but who undoubtedly have not been wanting in material prosperity. It cannot be demagogues, Romanism, or the Celtic race. What, then, is it? I am afraid that the one thing which has been peculiar to Ireland has been the Government of England. The comparison between the condition of England and that of Ireland is, no doubt, a very painful spectacle, but when did the vast prosperity which England now enjoys arrive? She has, no doubt, been preparing for it throughout her history, but its great spring took place simultaneously with the great advance in mechanical knowledge which we may place in the middle of the last century. What was then the condition of Ireland with respect to England? When I heard the eloquent speech of the Chancellor of the Exchequer and the rigorous doctrines he seemed to be laying down, I could not help remembering words which fell from the mouth of a Chancellor of the Exchequer not inferior to the right hon. Gentleman in fame, which seemed to me to diminish very materially the force of his observations. They were the words of Mr. Pitt uttered on the 22nd of February, 1785, when he was laying the foundation of the present intercourse between the two countries. In his speech on that occasion he described what had been the legislation of England with regard to Ireland, and what restrictions had been imposed upon the latter country; and I think that when you hear those restrictions described in his words you will be at no loss to point to the cause of the inferiority in commercial prosperity which Ireland now exhibits. These are the words of Mr. Pitt:—

> "The House would recollect that from the Revolution to a period within the memory of every man who heard him, the system had been that of debarring Ireland from the enjoyment and use of her own resources; to make the kingdom completely subservient to the interests and opulence of this country, without suffering her to share in the bounties of nature, in the industry of her citizens, or making them contribute to the general interests and strength of the empire. This system of cruel and abominable restraint had, however, been exploded. It was at once harsh and unjust, and it was as impolitic as it was oppressive; for, however, necessary it might be to the partial benefit of districts in Britain, it promoted not the real prosperity and strength of the empire. That which had been the system, counteracted the kindness of Providence, and suspended the industry and the enterprise of man. Ireland was put under such restraint that she was shut out from every species of commerce; she was restrained from sending the produce of her own soil to foreign markets; and all correspondence with the colonies of Britain was prohibited to her, so that she could not derive their commodities but through the medium of Britain."—[*Hansard, Parl. History*, xxv. 317.]

That is Mr. Pitt's account of the state of Ireland, and can you, let me ask, now fairly apply to that country your hard maxims of political economy? Can you tell her that the race is open to all, that there is a fair field and no favour, and that she must be dealt with on the same principles as the rest of the United Kingdom, seeing that you in past generations deprived her of her capital, and that the means on which her prosperity might be built up, were made, as Mr. Pitt says, subservient to the interests of Great Britain? It is a mere mockery, first to bind her hand and foot, and then to tell her to run a race with other countries which depend on their own resources. If you had treated her fairly, and had not previously deprived her of the power of rivalling you in the race, then I should say that the maxims of the Chancellor of the Exchequer were perfectly applicable and just. But you must bear in mind that capital once taken away from a country, is difficult to get back; that the superiority in trade secured by such places as Liverpool and Manchester, cannot easily be wrung from them again; that it is hard to revive industry once killed, and that you who have brought about these evils—though it may be in former times—though you are no longer morally responsible for them, and though your own Government of Ireland has been benignant, and kind, and just — are bound to repair the evils your fathers have done, and as far as possible to contribute to the restoration of that happiness and prosperity which by their action was destroyed. These are the general principles on which I think you should proceed, and I advance them only to meet what seem to me to be the too harsh and restrictive principles of the Chancellor of the Exchequer. As a practical question I see all the difficulties by which the subject is surrounded. I entirely agree with the Chancellor of the Exchequer with respect to the danger which accompanies anything in the shape of an absolute gift, and as to the risk that that which was intended for the deserving and industrious, should in reality fall to the lot of the idle the rapacious, and the corrupt. Great difficulties will, no doubt, be incident to your action in the matter, but still I believe that much might be effected. I am of opinion that such general improvements as those which have been pointed out by my hon. Friend near me, may be safely afforded by the Government, while I think that, by lending its aid it would be taking a course calculated to rescue Ireland from her present state of distress, to increase the general strength of the empire, and to remove something like a moral slur from the honour of England.

MR. GREGORY said, that although he represented a part of Ireland in which the utmost misery and discontent prevailed, he was bound to admit that if the Chancellor of the Exchequer were to give him *carte blanche* in the matter of expenditure, to do what he thought best for the good of the country, he should feel he was in a most difficult position, for although he might be enabled to alleviate the distress for the moment, the production of a permanent effect by the mere expenditure of a grant of money would, he felt, be beyond his power. He said so because there were other than mere physical causes at work in Ireland. These were moral evils which rankled and festered throughout the whole social body of Ireland, and till these were removed palliations would be of little use. Where general discontent existed there was a dislike of the laws, and a population sympathizing with the breakers of the law, and the consequence was that capital fled, and with the absence of capital of course came want of employment and the destitution resulting from such a state of things. To improve the condition of Ireland various remedies were proposed. An hon. and gallant Friend of his seemed to think that the best course for the Irish people to adopt would be to burn all the Manchester manufactures and to clothe themselves in linseywoolsey, while the hon. Member for the King's County argued in favour of the reclamation of waste lands. For his own part, he objected to any scheme in which the Government was to enter as a partner, and he wished to say so the more distinctly because he had seen in local newspapers articles written to enforce the view that the Government ought in some way to encourage manufacturers in Ireland. If they did, it would prove a costly failure. Now, everybody was aware that manufactures depended on capital, and that that could be attracted only by the hope on the part of the individuals possessing it to find remunerative employment for their money. While, however, he was on the subject of manufactures he wished to say a word on what seemed to be a wide-spread opinion in England, that it was impossible, owing to physical considerations—such, for example as the absence of coal—to establish manufactures in Ireland. He had the other day attended an interesting lecture which had been delivered in Dublin by Sir Robert Kane. He had estimated the cost of the motive power in English manufactories at 1¾ per cent, wages at 30 per cent, and interest on capital at 10 per cent. In Ireland the cost of coal might amount to 2¾ per cent, or 1 per cent more than England, but that would have been counterbalanced by the wages being less. Be that as it might, everybody conversant with Ireland knew there was something radically wrong in her condition, but how a remedy was to be provided was a question by which all were more or less puzzled. If, however, Ireland, instead of being placed to the west of England had been located midway between England and France, he believed she would be either the best governed, most prosperous, and most contented portion of Her Majesty's deminions, or one of the best governed, most prosperous, and most loyal departments of the French empire. As it was, in no country in Europe, except perhaps Poland or Turkey was there such widespread misery and discontent as were to be found in Galway and Limerick; nowhere such disaffection, for that was the proper word, as in the sister kingdom of the richest, best governed, most loyal kingdom of the world. It was cast in their teeth that it was their own fault, and that there was something inferior in the Celtic race. The noble Lord (Lord Robert Cecil) had dealt rightly with that assertion He denied that the Celtic race was the cause of Ireland's misery. He did not believe that Providence had ordained that that race should be great and prosperous in other lands, but that in Ireland it should continue to grovel in wretchedness as long as the sun and moon endured. That reasoning might go down in England, but foreign countries were of a different opinion, as they showed us in their literature, if not in their diplomatic despatches, when they advised us not to try to remove the mote from their eyes while the beam remained in our own. They bid us look at Canada and other countries, where Irishmen advanced to wealth and station as merchants, men of letters, and statesmen. They pointed out that in Canada the Irish people were loyal and contented—a remarkable instance of what a change of country would effect—and that in the event of a war with America they would be the first to resist an invasion—prompted, as they would be and had been, by the Roman Catholic prelates. At the time of the *Trent* difficulty with the United States addresses were issued to their flocks by two Roman Catholic prelates in Canada inculcating loyalty to the British Throne, for, said they, under no form of government could they find greater freedom or more equal laws than under the British rule as they experienced it in Canada. Does any hon. Member think that in case Ireland was menaced by an invasion from France that the Roman Catholic prelates could with truth or justice issue such an address? He had no intention of attacking the Government, neither did he accuse them of any act of atrocity; but he did say that, with the exception of the right hon. Baronet, the Chief Secretary, the Government appeared to ignore the very existence of the country. The right hon. Gentleman said, that for thirty-four years the Liberal party had been doing their best for Ireland. The Irish were not generally considered an ungrateful people, yet little evidence of their appreciation of the benefits conferred upon them by the Liberal party would be afforded by the state of the Ministerial benches after the next general election, when scarcely an Irishman would take a seat where a few years ago numbers of enthusiastic Irish Members were to be found. A few Irish Members, supported by territorial connection or by great popularity, might still remain on the Government side, but the bulk of the others must, if they would save themselves, disavow all connection with that party. That was a pretty state for a Liberal Government to bring itself to. He wished completely and fully to exonerate his right hon. Friend Sir Robert Peel from any animadversions which had been directed against the Government, for he believed a more laborious or more earnest man had never filled his office. He believed the right hon. Gentleman often obtained his information from wrong quarters, but he was convinced of his anxious and earnest desire for improving the condition of the country although he had not the power to carry out his good intentions. He (Mr Gregory) had always said in debates in this House that successive Governments had adopted a low, mean principle, of governing Ireland. They thought they could quiet it by patronage. They thought that by getting hold of some vehement, perhaps well-meaning lawyer, and by stopping his mouth with a good place, they might quietly sit down as the benefactors of the country—might "rest and be thankful." But to attempt to govern Ireland by the mere distribution was a great mistake. Every one would admit that for many years there had not been so good a feeling towards England as there was during the viceroyalty of Lord Eglington. Well, that certainly had not arisen from the noble Lord's adroit use of patronage, for in his time the fructifying stream ran only in one, and that a very narrow channel. Neither had it proceeded from any tampering on his part with the extreme party, nor from his lending himself to the designs of the ultramontane Roman Catholics. The antecedents of the noble Lord, moreover, had been against him, for it was he that had destroyed the Bill for establishing diplomatic relations with the Pope, by introducing a clause that the papal emissary should not be an ecclesiastic. Nevertheless, the Irish people saw in Lord Eglington a determined honest man who had set his heart upon the material improvement of the country, and who was determined either to carry out his plans or to leave Dublin. Moreover, they saw that he had not only the will but the power; the cabinet, to their honour, being disposed to listen to his suggestions. This created a spirit of confidence in the Government, and had Lord Eglington continued Lord Lieutenant there would have been a great and favourable change in the general treatment of Ireland. He (Mr. Gregory) would now advert, as each person was advocating his own nostrum, to matters with which he was specially cannected. There were two subjects which specially interested them in the west—one was the construction of a harbour of refuge, and the other was the drainage of the Shannon. He overheard an hon. Member say that he was coming to the Galway Contract. His hon. Friend was perfectly right, he was just about to refer to it. He did not believe that any measure had been given to Ireland for many years which had created such a general feeling of satisfaction as that had done. It was not a mere boon to a western city, for it had called into play the energies of many other cities, and had been hailed with joy in Waterford, Belfast, and Dublin. That contract failed, partly through gross mismanagement and partly through the stringent conditions attached to it; but if it had continued he should not have been there that night with any complaints from Galway. For he had never seen in his life such a revolution effected in so short a period as took place in Galway during the short time the contract was in force. What the Galway people wanted was an advance, and some small concession in the shape of a reduction in the rate of interest; and here he could not help remarking on the manner in which they had been treated by the Exchequer Loan Commissioners. When they applied for money, the Exchequer Loan Commissioners expressed a fear lest they should make a graving dock at Galway large enough for Transatlantic steamers, and so lead to a revival of the annual grant. Of course they wished to have such a dock, for, even if they got no grant, they cherished the hope of some day having a line of steamers of their own. But when the people of Galway wished to borrow money and offered to give ample security for the purpose of improving their harbour and making a graving dock capable of receiving the largest Atlantic steamers, the Commissioners were instructed to look very closely into the details of the proposed undertaking, as the people of Galway might have some ulterior views in the matter. But was not such a proceeding on the part of Government a low, mean, dirty mode of treating such an application? Was it any wonder that it rankled in the minds of the Irish people? With regard to the Shannon drainage question, all that the Irish people were anxious for was that the plans of 1837, on the faith of which they had been taxed and had paid the uttermost farthing, should be carried out in their entirety. Year by year they had endeavoured to bring it to a successful issue, and year by year they had had every conceivable difficulty thrown in their way. He was not prepared then to enter into the far deeper question of discontent. As far as the physical condition of the country was concerned, it was evident that Ireland was passing through a transition state. From an agricultural, it was changing to a pastoral country, and the process naturally entailed disaster upon many of the smaller occupiers. Freetrader as he had always been, God forbid that he should now utter a word in derogation of that policy; but remembering that Ireland alone, of all Her Majesty's dominions, had suffered depression in consequence, there were obviously reasons for dealing in a liberal spirit with any just request that might be put forward. He trusted the Government would take these things seriously to heart, and, having heard in that debate the expression of a vast amount of discontent, would endeavour to bring about a sounder state of feeling, thereby making Ireland the right hand of England's strength instead of a source of weakness as at present.

Mr. MAGUIRE moved the adjournment of the debate. There were more than a dozen Gentlemen evenly distributed at both sides of the House who were anxious to take part in a discussion of such moment to the country.

Motion made, and Question proposed, "That the Debate be now adjourned"—(*Mr. Maguire.*)

Viscount PALMERSTON: I think the proposal of the hon. Gentleman is rather premature. It is only a quarter past eleven o'clock. We ought, at all events, to have the advantage of hearing two or three additional Members before we adjourn.

Mr. MAGUIRE said, he should press his Motion to a division.

But, on Mr. Speaker having put the Question, and declaring that in his opinion the Noes have it, a Division was not called for.

Motion *negatived.*

Debate *resumed.*

Mr. Gregory

Mr. MAGUIRE explained that he had not troubled the House to divide, as he had been given to understand privately, that after twelve o'clock the adjournment of the debate would not be opposed. He felt bound to repudiate the absurd doctrine which, according to the Member for Galway, some newspaper writers in Ireland had laid down, that the Government ought to assist private enterprise in commercial and manufacturing undertakings. For his own part, he must say that he never knew of any such doctrine put forward in Ireland, either in writings or speeches; and, were it put forward in his presence, he would be the first to repudiate it, as false and fatal—fatal to all spirit of self-reliance. But he did not conceive that there was any loss of dignity or self-respect on the part of the Irish representatives in asking the Administration to discharge the ordinary duties of government by aiding in every legitimate manner the enterprise, energy, and resolution of the people themselves. In the city of Cork there was no desire that a representative should come to London and appeal to Parliament *in formâ pauperis.* On the contrary, he should regard any material aid from the State, in a mere matter of private enterprize, as a bar to its success. But the Government had their own duties to discharge, duties from which they ought not to shrink; and if they discharged those duties, they might then fairly leave the rest to the people of Ireland themselves. He hoped, however, that when any Member of the Government next rose to speak upon this subject he would borrow something of the tone, manner, and feeling which had distinguished the speech of the noble Lord the Member for Stamford; for he was sorry to say that, except when the Treasury Bench had some pet scheme which they wished to carry, there was a coldness in all that they said or did with regard to Ireland, which exercised a very chilling effect upon the people of that country. Aversion and dislike were never long in being reciprocated; and he should not be speaking the truth if he did not corroborate the statements made by the hon. Members for Clonmel and Galway as to the feeling of disaffection at present in Ireland. Scarcely ever in the history of the country had that feeling been so strong, and remembering the existence of that general distress and depression, as to which every Member taking part in the debate had testified, it was hardly to be wondered at. When travelling about a month ago with a Roman Catholic bishop—one of the most distinguished prelates of his Church, a man whose ability was only equalled by his amiability of character—that eminent man, who was a deep observer of passing events, assured him in private conversation that in the portion of the country with which he was intimately acquainted he never remembered anything like the prevalent feeling of disaffection, which was not confined to the labouring, or even the farming classes, but extended to those above them. There was a feeling of utter recklessness as to anything that might happen. Now, he contended that was not a state of things which would justify the paragraph in the Queen's Speech respecting the existence of peace and prosperity in that country. But the right hon. Baronet, the Irish Secretary, made a desperate effort to vindicate the truth and the wisdom of that laudatory paragraph. Thus, for instance, he endeavoured to prove that emigration was falling off. How did he prove it? By comparing the number that left Ireland this January, as compared to the previous January. But he should bear in mind that during the month when storms raged, and the coasts of these islands were fringed with wrecks, nearly 6,000 persons left the shores of Ireland for America. His hon. and learned Friend (Mr. Hennessy) called upon the Government to assist the arterial drainage of the country. The Government were bound to do so on two grounds. In the first place, they had made a serious blunder in their engineering, which had done injury rather than good; and, in the second place, the question of arterial drainage was one that assumed an Imperial rather than a local character. As to the reclamation of the waste lands of Ireland he would express no opinion at present; it was one of those subjects which did not press for an immediate solution, and it could afford to wait till another time. But he would say it was the duty of the Government to assist, by wise legislation, in the improvement of those lands which were not waste, but which were laid out in farms and encircled by boundaries. He confessed he thought more of the 16,000,000 acres of lands in actual occupation, than of the 4,500,000 acres of lands which were said to be partly reclaimable. He was sorry to hear the discouraging allusions made by the hon. Baronet to the subject which occupied the thoughts of the people of Ireland, and to which every other question was held subordinate. The right hon. Gentleman talked of erroneous notions and impracticable theories with respect to the occupation and tenure of land. It was absurd for the Government to say that they could not legislate upon the land question. Governments had over and over, within the last twenty years, brought in measures dealing with the land of Ireland, and interfering with the relations between the landlord and the tenant in that country; and it was now too late for any Minister to say that this question could not be dealt with by Parliament. Four years ago the then Attorney General introduced a measure on this subject. He was warned that his Bill was of too restrictive and cumbrous a character; but it passed—because no popular Member dared, under the penalty of misrepresentation, refuse his support to it, whatever its defects. The Government, therefore, could not say that the principle of giving compensation to tenants was revolutionary. The Bill, however, had not worked, and it was now the duty of the House to deal with the land question in a liberal spirit. It may have seemed strange to English Members that the Irish Members differed so widely in their remedies for the ills of Ireland. He believed that various remedies were required; but to an agricultural country good land laws were primarily essential. Therefore, he would suggest one practical remedy. He gave notice that, on the earliest possible day, he should ask the Government, by a special Motion, to refer the Landlord and Tenant Bill and the Compensation Bills of 1860 to a Select Committee. That Committee should have power to call before it not "agitators," not "demagogues," not men of impracticable theories or violent notions, but such men as Judge Longfield, Baron Deasy, Justice O'Hagan, and men of that class. If there was a fair representation of the country on that Committee, and if they fully considered its wants and its present position, he should be compelled to be satisfied with its report as to how the existing law could be amended so as to work beneficially, and the Government could then deal with the question on the information and evidence before them. The Government might, if they pleased, call those who desired to see a fair settlement of a vital question, agitators or demagogues; but he would tell them it would face them on the hustings, and it would determine their position in that House, by the votes taken in its lobbies. It was no party question, and he did not speak as a party man; but this he did say—that if fifty Irish Members took up an independent position, whatever Government might be in power would be only too ready to come forward with measures of relief and redress, not alone in this but on other questions affecting the welfare of their country. He did not mean to say that his measure would prove a panacea for the ills of the country, and he did not disregard any remedy whatever. Judicious plans of arterial drainage, promoted or assisted by the Government would, no doubt, be beneficial; but he believed that the extension of drainage by the farmers themselves on their own farms would do more for the prosperity of the country than any Government drainage through the Shannon or the Barrow. Ireland demanded the tender sympathy and regard of this country, and he would tell them why. Ever since the Union Ireland had been losing £4,000,000 a year, which had been drained out of the country by Irish absentees. If that sum were multiplied by the number of years—sixty-four—that since elapsed, it amounted to the enormous sum of £250,000,000, not one penny of which had ever gone back to the country again. This was a ruinous drain from a poor country which it impoverished, and a stream of wealth to a rich country which did not need it; and that rich and powerful country that was benefited at the expense of that impoverished country should not be content with taunting it with want of self-reliance, but should aid its efforts in that direction. The Irish Secretary took credit for the extension of flax, and for having sent instructors through the southern provinces. It was a prudent thing, no doubt, to teach those who had forgotten it, to cultivate a valuable crop with care and skill; but the extension of flax, and the promotion of manufactures, depended not upon the Government, but upon individuals. The people of Ireland had their own responsibility in the matter, and he would call upon every Gentleman to use his influence to extend manufactures throughout the south, east, and west of the country, without which Ireland could not prosper. The Secretary for Ireland had taken credit for a diminution of 4,000 last year in the number of emigrants, but as the population was diminishing every year, and the emigration remained the same, the drain must be greater as compared with the population of the country. Nor let it be imagined that the emigration was composed of the idle, the dissolute, and the impoverished. If hon. Gentlemen would stand on the pier of Queenstown, as he had done, they would see that it was the very bone and sinew of the country that was now leaving it, the same class who were the hope and the strength of other countries. If the land question were settled, he believed it would tend to stop a stream of emigration which the new Lord Lieutenant himself said ought now to be checked. Let them, by good laws, enable the farmers in every district to improve the country, and they would soon feel a difference in Ireland. The tenant would employ that labour, or give that employment, which Lord Wodehouse considered the most effectual check to emigration. It had been stated that he had said that the panacea for Ireland was a ninety-nine years lease; but he had said nothing of the kind, and had only instanced some estates in Cork were security of tenure had been recently afforded to its tenants by means of leases, and said that those leases were for ninety-nine years. His opinion was that shorter leases, provided there were compensation for unexhausted improvements, would work great benefit. Those who advocated fixity of tenure were charged with promulgating revolutionary doctrines; but in the north of Ireland, where the principle existed, the landlord was secure of his rent, and surely the same system that worked well in one portion of the country might safely be applied to the rest of Ireland. Of course, it could be so fenced round and guarded as to protect the interests of the owner. The great evil of that country was that the tenant had no security for compensation for the improvements which he made. His hon. Friend the Member for the King's County had been taunted with committing himself to Colonel Blacker's opinion as to the population which could be supported on the soil of Ireland; but there was the authority of Sir Robert Kane for saying that Ireland could support double the population that dwelt in that country at the time Sir Robert was writing, and at that time the population was 8,200,000. If Ireland could support 16,000,000, or even 8,000,000, *a fortiori*, she ought to be able to support her present population, which was only about 5,500,000. It was a shocking reproach to the Government that they did not endeavour to make contented in their own land people who, when they emigrated, became prosperous and contented elsewhere. If the House could see the letters which were sent home by Irish emigrants, they would find that those letters breathed a bitter and undying spirit of hostility to England. If any presidential election or great government crisis should happen in America, they would, to conciliate the Irish, hold out a promise of invasion of Ireland; and if a war arose, and only 10,000 filibusters should land there, one half of the people would rise in rebellion against this country. He should regret that, for he believed a rebellion would retard the progress of Ireland and send her half a century back; but there was no statesmanship in relying on a few peddling figures, attempting to prove a case of prosperity by triumphantly declaring that there were 100 pigs more in Ireland this year than there were last. The question to be considered was this—was there more discontent? There was no one in Ireland worthy of the name of a man who was satisfied with the policy of the Government towards that country. It was a mean and a cowardly policy; it was a policy of denial, and glossing over distress and misery; it was a policy of waiting upon Providence for a gleam of sunshine, or a chance harvest. It was a policy unworthy of statesmen, or of those on whom rested a grave responsibility; and if before the general election there was not a distinct and honest declaration of quite a different policy, the present Ministry would not be long on the Treasury Bench. He would, however, rather conciliate than threaten. [*Ironical cries of* "Hear, hear!"] He repeated it; but he felt that the Irish policy of the Government was a disgrace to England and a weakness to the Empire. He supported the Motion of his hon. Friend, and repeated his demand for a Select Committee to hear the evidence of impartial and competent men as to how the land laws could be safely and beneficially amended. He asked the Government for simple justice, and he felt convinced that a policy of justice to Ireland would not only be for the interest and advantage of that country, but would tend to strengthen and secure the Empire at large.

Then, on the Motion of THE O'CONOR DON,

Debate *adjourned* till *Monday* next.

VALUATION OF LANDS AND HERITAGES (SCOTLAND).

Select Committee *appointed,* "to inquire into the present system of valuation of Lands and Heritages in Scotland for the imposition of Local Rates, and to report their opinion whether any, and, if any, what alterations may with advantage be made therein; and, in particular, whether it would be advisable, on the one hand, to provide that Poors' Rates, now leviable on a net valuation, should henceforth be leviable on the gross rental, or, on the other hand, whether all local Rates should, like the Poors' Rates, be leviable on the net rental, and one uniform system of ascertaining the same established."—(*Mr. Dunlop.*)

And on March 8 Select Committee *nominated.*

GAME (IRELAND) BILL.

On Motion of Sir HERVEY BRUCE, Bill to amend the Law regulating the shooting and sale of Game in Ireland, *ordered* to be brought in by Sir HERVEY BRUCE, and Colonel FORDE.

Bill *presented,* and read 1° [Bill 42].

SHEEP, ETC. PROTECTION (IRELAND) BILL.

On Motion of Sir FREDERICK HEYGATE, Bill for the further protection of Sheep and other Property from Dogs in Ireland, *ordered* to be brought in by Sir FREDERICK HEYGATE, Mr. LEADER, and The O'CONOR DON.

Bill *presented,* and read 1° [Bill 43].

House adjourned at a Quarter after Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, February 27, 1865.

ROACH RIVER FISHERY BILL.

SECOND READING.

Moved, That the Bill be now read 2^a.

THE MARQUESS OF CLANRICARDE presented a Petition from owners of oyster beds in the river Roach, and others, praying that, if their Lordships should think fit to read the Bill a second time, it should be considered by a Committee of the Whole House, because they were too poor to bear the expense of opposing it before a Private Bill Committee. The noble Marquess said, that he did not object to this Bill upon its merits, but it formed one of a class for the creation or development of oyster fisheries which ought to be carefully watched, lest they should lead to the establishment of rights which might clash with general legislation upon the subject. He would now put the question of which he had given notice—Whether it is the intention of Her Majesty's Government to introduce a Fishery Bill, regulating the Usages and Creations of Oyster Fisheries, during this

Session? and whether the Private Bills now before Parliament had been examined and approved by the Board of Trade or other Government authority?

EARL GRANVILLE said, that the Government did not intend to introduce any general Fishery Bill this Session. They had given their consent to this and other Bills of a similar nature that were now before Parliament, contingent on their passing through Parliament.

LORD REDESDALE said, it was an argument in favour of these Bills, that the supply of oysters did not in any degree equal the demand, and the formation of new beds of oysters would be of considerable advantage to the public. The object of the Bills was the protection of beds upon which a large sum of money would be required to be laid out. Many private Bills, no doubt, required full investigation, but he really believed the object of these Bills was unobjectionable.

THE MARQUESS OF CLANRICARDE said, all these Bills gave very considerable rights upon shores, and therefore required to be looked at very closely for the public interest, especially as in unopposed Bills of this description no one was watching them on behalf of the public or the Admiralty.

THE MARQUESS OF BATH said, that in a Committee on a Bill of a somewhat similar description, counsel had been heard in opposition on behalf of other companies and of the fishermen. Either the Board of Trade or the Admiralty had laid down several stringent rules for the observance of such companies as these Bills proposed to invest with certain shore rights.

Motion *agreed to*.

Bill read 2^a.

SEWAGE MANURE—REPORT OF THE SELECT COMMITTEE.—EXPLANATION.

THE EARL OF ESSEX said, that on Friday night he had been somewhat misunderstood. What he wished to express on that occasion was his decided conviction that if sewage was to be usefully employed in agriculture it must be applied in large quantities to small areas, and not in small quantities to extended areas. The latter system required considerable expense to be incurred for pipes, labour, and steam power, and the results would be invariably poor and meagre; while the other system at a small cost, would give a most satisfactory return. His experience proved that where the sewage was in a proper condition, and the land in a fit state to receive it, it was difficult to estimate the large quantity of the manure that might be employed with advantage.

PATENT RIGHTS.

SHEPARD'S, WRIGHT'S, AND SPENCER'S PATENTS BILLS.—OBSERVATIONS.

LORD REDESDALE, referring to Shepard's, Wright's, and Spencer's Patent Bills, said, he did not propose to move their second reading. Their object was to remedy the neglect of the patentees in not having paid the stamp duties within the period required by law. He did not think a discretionary power to remedy such defaults would be of advantage, as most probably the dishonest man who made a spurious statement would obtain a renewal of his patent, whereas the honest man who spoke the truth might suffer. It would be better in cases of default of payment within the specified time, for the patentee to pay double duty when a week behind time, and treble, when a fortnight behind. He left the matter in their Lordships' hands, and unless otherwise advised, he should not move the second reading.

LORD CHELMSFORD thought their Lordships were much indebted to the noble Lord for drawing attention to the principle involved in these Bills, which might otherwise have passed as a matter of course. He did not wish to act harshly towards patentees, but, at the same time, the law upon the subject ought not to be forgotten. Previous to the Act of 1852, an inventor could not patent his invention except at a heavy expense; but by that Act very easy terms were given to patentees who, if their inventions were of any value, ought after the lapse of three or seven years, to be in a position to pay the stamp duties. But that statute expressly provided that where patentees neglected to pay such fees within a certain specified time their rights lapsed, and the patent became the property of the public. In the present cases the patentees, through their own default, had forfeited their patents, which were now the property of the public, and they asked their Lordships by these Bills to take away the rights of the public, and to revive those of the patentees. Under such circumstances he should decline to recommend their second reading.

EARL GRANVILLE expressed his concurrence in these views.

TRANSPORTATION TO AUSTRALIA.

PETITIONS.

Lord TAUNTON, in presenting petitions from the city of Melbourne and other places in the colony of Victoria, praying for the immediate and permanent abolition of the transportation of convicts to Australia, said, that these petitions, which were more than thirty in number, came from every part of the colony of Victoria, and he believed that never had any petition to their Lordships' House expressed more faithfully the unanimous feeling of the community from which they came. The petitions were couched in the most respectful language, and the petitioners expressed their confidence that their Lordships were always ready to hear and prepared to redress any grievance which afflicted any portion of Her Majesty's subjects. He could state the places from which the petitions came, but as the names were not very familiar to their Lordships, he should gain nothing by taking that course; but he would refer to the petition from Melbourne, as it was one of great moment, as expressing the sentiments of the leading colonists and of the mass of the colonial population. It emanated from a public meeting, and was signed by the mayor and all the municipality, the Bishop of the Church of England, the Roman Catholic Church, the heads of the Presbyterian body, and those of the other religious communities in the colony, the Chief Justice, and other high functionaries. He was happy to find that he was relieved from the necessity of going into the subject at the length which he should have done as Her Majesty's Government had already adopted in substance the prayer of the petitioners; for he understood from the papers presented to Parliament that the Government had determined that the system of transportation to Western Australia should cease in the comparatively short period of three years. He thought the Government had consulted true dignity and wisdom in taking that course, and the reasons which they assigned were such as well became the Government of England, a country which had possessions in every part of the world. The reason they gave for their resolution to give up the present system was because they found that it was opposed to the unanimous opinion of the colonists themselves. His own belief, however, was, that the system of transportation to Western Australia might possibly have been continued for some time longer, although it was viewed with great jealousy by the other colonists, had it not been for the Report of the Commission appointed to consider this question. They reported that it would be not only right to continue the system of transportation to Western Australia, but to extend it. The alarm and apprehension which that Report created in Australia it was quite impossible to overstate, and although the colonists placed confidence in the good intentions of the Legislature of this country, they at the same time expressed their belief that the Report of the Commission had been adopted in ignorance of the feelings and opinions of the colonists. He believed that transportation to a colony was incompatible with the well-being of the free colonists. The petition from Melbourne was signed by 5,000 persons, and it showed a well-founded feeling on the part of the colonists, and of men who were not all likely to lend themselves to mere popular clamour. The public meeting at Melbourne was presided over by the Mayor, and he and the whole of the municipality, together with the Bishop of the Church of England and the Roman Catholic Bishop, the heads of the Presbyterian Church, the members of other Churches, the Chief Justice, and all the other Judges—men of all others the most likely to form a sound opinion upon the subject, and of the effect of the convict system upon a community—signed the petition. The President of the Council and the Speaker of the Assembly also signed the petition. The petitioners alleged, amongst other things, that Western Australia acted as a sort of conduit pipe in bringing convicts into the colony of Victoria, and that there were now 3,000 persons who had been convicts, and who had found their way to the other Australian colonies, and they stated that the effect of this influx of criminal population was to cause an increase of crime and an expenditure of money for police and other charges to the amount of ten times as much in proportion as it did in this country. They stated that not only were ordinary offences committed by these convicts, but that they perpetrated crimes from the mention or thought of which the mind recoiled with horror. He believed in the controversy which had been carried on between the colonists and the Government that upon the whole the colonists had acted as every Englishman would have done if he had been placed in the same position. He thought that the Government had acted wisely in the course which they had adopted, for it must be remembered that not Victoria alone, but the whole of our Australian colonies—with the exception of the small settlement of Western Australia—comprising a million and a half of people, who raised one unanimous voice against having the system of transportation inflicted on them. The Cape of Good Hope and New Zealand in former days had also shown the same repugnance, and he hoped that any of their Lordships who took an interest in the question of criminal punishment would at once dismiss from their minds the anticipation that any colony could be found which would consent to receive our criminal population. Not that there were not places where we might send our criminals to be employed on public works, such as Gibraltar and Bermuda, but we should not find a colony which would consent to receive and absorb our criminals in the hope of making them at any time a useful part of the population. The same causes which had induced the Australian colonies to object to the reception of criminals would also induce other colonies to take the same course. He rejoiced exceedingly at the removal of this cause of difference between the colonies and the mother country. The Australian colonists were as loyal a body of men as could be found in any part of the Empire, they valued highly the connection with the mother country, and he believed that connection might be continued with mutual advantage to both.

Earl GRANVILLE: My Lords, I entirely agree with what my noble Friend has stated as to the feelings and conduct of the colonists. But I think the question being now settled, it would be idle and unbecoming in any one—much more in any one connected with the Government—to rake up any of the objections which might, perhaps, at one time have been taken to certain portions of their conduct. I agree, too, with my noble Friend that the strong feeling unanimously expressed by the colonists was founded on some of the highest feelings of human nature. My noble Friend says he regrets the recommendations of the Commission which sat two years ago. That Commission was powerfully composed; it was presided over by Lord Grey, and comprised persons having great legal and judicial knowledge. Their conclusion was arrived at not on selfish views as regards the mother country; but was founded on a great deal of evidence as to the desire of Western Australia to receive convicts. But, as my noble Friend has pointed out, facts have come to light since which bear differently on the question of the advantage which transportation would be to Western Australia. With regard to the feelings of the other colonies the Commission took very little evidence. The Government entirely disagreed with the recommendation of the Commission that transportation should be increased; they thought that with certain modifications the same amount of transportation to Western Australia might be continued; but the feeling in the colonies grew stronger and stronger, and the evidence of the different Governors showed how sound and genuine that feeling was. At the same time there came news of the discovery of a fertile tract of country close to Western Australia. There is no doubt that the want of fertile land was the real cause of the want of success of that colony; its iron-bound coast and the poor quality of the soil have been a great disadvantage to the colony. Before the introduction of convict labour it was in a lamentable state, but since then the population and the imports and exports have increased. When this fertile land was discovered it was decided that it would be desirable to exclude convict labour from it, and it was of course impossible to continue a double system in the same colony, admitting convict labour into one part of it and excluding it from another. This being the case, and receiving a unanimous statement from the colonists of their deprecation of what they deemed to be a curse which would be sure to increase as communication became more easy, Her Majesty's Government had not the slightest hesitation in deciding to put an end to transportation altogether. With regard to the particular question my noble Friend has put, the words of the Despatch are given without the slightest double meaning. Three years were specified as the time necessary to make all the required arrangements, the principal of which is the providing additional prison room in this country. Our great wish is to do this as soon as possible, but before it is done Parliament must be consulted in one shape or another. I have no doubt that we shall be able to bring the subject before Parliament either in the way of a vote or otherwise in the course of the present year.

Lord CRANWORTH said, that in the absence of his noble Friend (Earl Grey) who had presided over the Commission that had been referred to, he wished to explain the reasons which had induced the Commission to come to the almost unanimous recommendation that not only ought transportation to Western Australia to be continued but be extended to the full extent of the capability of the colony to absorb convicts. There was, in fact, no conflict of evidence upon the subject; all the witnesses who came before the Commission agreeing in the opinion that it was essential for the interest of the colony that the system of transportation should he continued and extended. They had no doubt heard a sort of rumour about the other Australian colonies being adverse to it; but they had no evidence as to it; and considering that the distance from Western Australia to Sydney by sea was greater than from Cork to the Coast of North America, and as it was impossible for convicts whose time had expired to cross the country by land, there seemed less chance of their reaching New South Wales than there was of men in similar circumstances reaching New York from England. He thought there would be no second opinion as to this, that for the convict himself, the best punishment which he could undergo was that which enabled him to be absorbed into a society in which he might be able to redeem his character. Evidence had been laid before them which went to show that in Western Australia convict labour was on some grounds preferred to free labour; but, perhaps, in their anxiety to keep the convicts, the witnesses rather exaggerated that point. The Commission, therefore, came to the conclusion that it would be beneficial to this country, beneficial to the colony, and beneficial to the convicts themselves that transportation should be continued. He did not, however, mean to dispute that in the altered state of circumstances there might be reasons why the recommendations of the Commission ought not to be carried out.

LORD REDESDALE thought it would be an advantageous compromise for both countries if ticket-of-leave men were sent out to the colony. It would be better they were there than allowed to roam at large in this country.

PUBLIC RECORDS RELATING TO IRELAND—THE CAREW AND CARTE RECORDS.—QUESTION.

THE MARQUESS OF CLANRICARDE rose to call attention to a subject of considerable importance in connection with Irish history. By the exertions of the Master of the Rolls in England, a large mass of most valuable State Papers belonging to this country had been calendared and rendered accessible to the student of history. Very little had been done in that respect in Ireland. As far back as July, 1862, he had called attention to this subject, and had communicated with the Master of the Rolls, who concurred in thinking that some steps should be taken to arrange the records relating to Ireland. In the great fire which occurred at Dublin Castle in 1711 all the Government State Papers were destroyed, but a most valuable collection of documents had been made by Sir George Carew, afterwards Earl of Totness, which collection was now in Lambeth Palace. A smaller collection, known as "the Carte Manuscripts," was in the Bodleian Library at Oxford, and it would be of the utmost importance if those papers were calendared and rendered available for the purpose of throwing light upon the many obscure passages in Irish history. Finding no steps were being taken to that end he had again communicated with the Government, who ad mitted the importance of the subjet; and ultimately, in July, 1863, the Master of the Rolls deputed the Deputy Keeper of the Rolls and Mr. Brewer to examine and report upon the papers in the Carew Collection at Lambeth and in the Carte Collection at Oxford. Those gentlemen presented a report to the Master of the Rolls. That Report was made at the end of 1863, but was only made public at the end of last Session. As the subject was one of great interest, he wished to know whether anything was to be done to render these papers available for public information. He desired to ask, Whether it is the intention of Her Majesty's Government to act upon the Report of Mr. Hardy, Deputy Keeper of the Rolls, and Professor Brewer, respecting the Carew and Carte Manuscripts in the Lambeth and Bodleian Libraries?

EARL GRANVILLE said, he was pleased to be able to give the noble Marquess a stronger assurance of the intentions of the Government than he seemed to anticipate. It had been decided by Her Majesty's Government that the recommendations of Mr. Hardy and Mr. Brewer should be carried out — namely, that the papers referred to should be indexed and calendared, and that copies of such as related to Ireland should be made and forwarded to the proper offices in that country. It had also been arranged that Mr. Brewer, who had had great practice in calendaring State documents, and Mr. Bullen, who had been specially recommended for the purpose, should undertake the necessary duties in relation to those papers. He hoped that when the work was completed the noble Marquess would enter the lists with the noble Earl on the cross benches (Earl Stanhope) as a historian and author of a new and more perfect history of Ireland.

OPPOSED PRIVATE BILLS.

Resolved, That no Petitioners against any Private Bill in either of the Classes mentioned in Standing Order No. 178, and originating in this House, shall be heard before the Committee on the Bill unless their Petition shall have been presented to this House by having been deposited in the Private Bill Office on or before the Seventh clear Day after the Second Reading of such Bill; and with respect to Bills brought from the House of Commons, and Bills originating in this House, and referred to the Judges, or approved by the Court of Chancery, no Petitioners shall be heard before the Committee on any such Bill unless their Petition be deposited in the Private Bill Office on or before the Fifth Day on which the House shall sit after the Day on which such Bill shall have been read a First Time, except where the Petitioners shall complain of any Matter which may have arisen after the Expiration of the Time allowed for depositing such Petitions; and every such Petition shall be deposited in the Private Bill Office before Three o'Clock in the Afternoon:

This Order shall not apply to any Petition against any Bill which has been already read a Second Time if such Petition shall be presented to the House by a Lord on the last Day allowed as aforesaid.—(*The Chairman of Committees.*)

House adjourned at a quarter past
Six o'clock, till To-morrow,
half past Ten o'clock.

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HOUSE OF COMMONS,

Monday, February 27, 1865.

MINUTES.]—New Member Sworn—Nicholas Daniel Murphy, esquire, *for* Cork City.

Supply—*considered in Committee*—Committee—r.p.

Public Bills—*Ordered*—Inns of Court.

First Reading—Inns of Court * [44].

Second Reading—Industrial Exhibitions * [36]; Common Law Courts (Fees) * [39].

Referred to Select Committee — Pilotage Order Confirmation * [28]; Private Bill Costs * [7], Mr. Watkin *added.*

Considered as amended—Courts of Justice Building * [11]; Felony and Misdemeanor Evidence and Practice * [21].

Third Reading—Bank of Ireland * [14]; Bankruptcy and Insolvency (Ireland) Act Amendment * [34]; Election Petitions Act (1848) Amendment * [19], and *passed.*

GREAT YARMOUTH BOROUGH, HAVEN, AND PORT BILL.—(*By Order.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Henry Stracey.*)

Mr. WARNER said, he hoped to be able in a very short time to convince the House that the Bill ought to be rejected on the second reading. In the reign of Charles II. a Commission was established for the conservancy of the navigation of the principal rivers in the counties of Norfolk and Suffolk, and also of the port of Great Yarmouth. The Commissioners had twice had their powers extended, and at present they were twelve in number—three appointed by the justices of Norfolk, three by the justices of Suffolk, three by Norwich, and three by different parties in Great Yarmouth. These Commissioners had hitherto discharged their duties very satisfactorily to all the great interests concerned. But the Corporation of Yarmouth, without advancing any reason for so doing, had taken upon itself to ask Parliament to alter the Commission, to increase the number of Commissioners, and to give to Yarmouth a preponderating influence which would over-ride all the other interests concerned. Hon. Members looking at the printed Bill would be altogether unable to understand its real object. There were clauses authorizing the making improvements in the haven, according to deposited plans; but these improvements had been abandoned, and the promoters now came to Parliament simply to extend the influence of Yarmouth in the Commission. The whole drift of the Bill was to increase the number of Commissioners from twelve to eighteen, and to give the extra six to Yarmouth, so that—instead of having three out of twelve — Yarmouth would have nine out of eighteen, or just one half; and, inasmuch as the Commission sat in Yarmouth, that place would, of course, have a working majority of Commissioners. The counties of Norfolk and Suffolk were opposed to the Bill; and Norwich had also petitioned against it. Norwich was deeply interested in this question, and would be seriously injured if the Bill were allowed to pass. Hitherto Norwich had had its share in the management of the navigation. They had two outlets to the sea, one at Yarmouth, the other at Lowestoft. If this Bill should pass, the new Commission would have the power to establish preferential legislation in favour of Yarmouth, by which Norwich would be deprived of Lowestoft as an outlet for her goods. The Corporation of Yarmouth, the only promoters of the Bill, had not alleged against the present Commission any default of duty. They simply came before Parliament asking that their present fourth share in the Commission might be converted into a practical majority. He should therefore move that the second reading of the Bill be postponed for six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Warner.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR HENRY STRACEY said, it was true that the Bill was promoted by the Corporation of Great Yarmouth, but they represented the entire shipping and mercantile interest of the port; they were the owners of the port, and they proposed by this Bill to give up, after ten years, the Corporation dues. He was not the advocate of the promoters or opponents of the measure, but he saw no chance of a reconciliation between the parties without some intervention, and both sides having applied for the intervention of the Board of Trade he hoped that the Bill would be allowed to go to a Committee, upon whose recommendations the Board of Trade could act in the arrangement of difficulties which were at present a crying evil. The shipowners and merchants of Yarmouth, who paid nearly the whole of the dues of the haven, were all in favour of the Bill, and considering that the present Commission was appointed 200 years ago, it was scarcely to be expected that changes in it were not needed. The objection to the Bill was, that it sought to alter the constitution of the Commission. Well, it did so. In consequence of some of the Commissioners residing at a distance from Yarmouth, the Bill proposed to introduce two representatives of the fishing and merchant shipping interests of the borough. At a large meeting which took place on Tuesday last it had been agreed to withdraw the clause relating to fish wharves, which he understood was the only point upon which objection would be taken. The entrance to the haven was so dangerous that constant accidents were occurring. In one week, a short time since, there were ten vessels damaged, and when it was remembered that one vessel sunk in the haven would close the entrance, it would be seen how important it was that there should be local men at hand to superintend the navigation. Whatever might be the opinion of hon. Members as to the manner in which the Commission should be constituted, he thought the prudent course would be to send the Bill before a Committee.

MR. HOWES said, that Yarmouth had brought in the Bill without the consent of the other parties, but the Commission extended not only to Yarmouth, but to 100 miles of river in the counties of Norfolk and Suffolk. Who paid the dues? It was said the shipowners, but ultimately, of course, the consumers paid, and they ought to have a voice in the matter. It was said that the Commission was an old one. Undoubtedly this was the case, but it should not be forgotten that its powers were altered as lately as 1847. By this Bill, Yarmouth, which originally appointed one-fourth of the Commissioners, was to have a practical majority in all cases, while the other parties, at present appointing three-fourths, were to be swamped.

MR. MILNER GIBSON said, the Board of Trade had been willing to mediate between the parties, a request to that effect having been addressed to them. The promoters were willing to abide by the decision of the Department, but the opponents would not, and so, of course, the attempt to settle the matter amicably fell to the ground. He did not think the Bill one which ought to be thrown out on the second reading, for the matters of detail which it involved could be advantageously considered in Committee.

Question put. The House *divided:*—Ayes 129; Noes 17: Majority 112.

Main Question put, and *agreed to.*

Bill read 2°, and *committed.*

NUMBER OF THE ARMY.

QUESTION.

COLONEL GILPIN said, he wished to ask the Under Secretary of State for War Whether the Number of the Army on the first day of the present month was not below the proper establishment by the number of four thousand men?

The Marquess of HARTINGTON, in reply, said, it was quite true that on the 1st of the present month of February the number of the army was four thousand below the number in the Estimates of last year. But he must remind the hon. and gallant Member that the Establishment was exactly that which it was proposed to retain during the present year according to the Estimates just laid on the table.

PRISON LIBRARIES.—QUESTION.

Mr. HARDCASTLE said, he would beg to ask the Secretary of State for the Home Department, Under what prison regulation George Victor Townley, sent from Bedlam to Pentonville as an ordinary prisoner under sentence of penal servitude for life, was there allowed access to books of entertaining literature such as *Silvio Pellico* and *Gil Blas*?

Sir GEORGE GREY said, in reply, that by the rules no books were allowed to be read by prisoners, except those contained in the prison library approved by the Directors of Convict Prisons. On the recent appointment of a new Governor of Pentonville, he found that a practice had grown up under his predecessor of departing from that rule, and in certain cases allowing prisoners to receive books sent them by their friends if not disapproved of by the Chaplain. This practice was immediately put a stop to.

TITLES TO LAND REGISTRATION (IRELAND).—QUESTION.

Mr. SCULLY said, he would beg to ask the Secretary of State for the Home Department, Whether, in the absence of any Irish Law Officer, it is intended, on the part of Her Majesty's Government, that a Bill to Register the Titles to Lands in Ireland shall be introduced during the present Session, either by the Attorney General in this House or by the Lord Chancellor in the House of Lords?

Sir GEORGE GREY: It is the intention of the Lord Chancellor to introduce into the House of Lords, at an early period, a Bill for the registration of Titles to Land in Ireland.

SUBSIDY TO THE AFRICAN MERCHANTS' COMPANY.—QUESTION.

Mr. WHITE said, he would beg to ask

Mr. Chancellor of the Exchequer, Whether it is the intention of Her Majesty's Government to propose the grant of a subsidy to the Company of African Merchants (Limited) to enable them to put trading steamers on the River Niger?

The CHANCELLOR of the EXCHEQUER said, in reply, that after the recommendation made by Earl Russell last year the Government considered the question and found it surrounded with very considerable difficulty. They thought it desirable to give all parties the benefit of being heard before coming to any decision, and also to give Parliament the power of considering the matter. They had, therefore, during the last Session produced all the papers in their possession, and he was not aware that the project had been revived since that time. So far as the Treasury was concerned, the subject was not now before them, nor was it their intention to proceed further in the matter unless sufficient grounds were laid to satisfy them that they ought to do so.

SEA FISHERIES.—QUESTION.

Mr. M'MAHON said, he would beg to ask the President of the Board of Trade, Whether he expects the Report of the Special Commission on Sea Fisheries to be presented in time to enable him to carry in this Session a Bill founded on their recommendations?

Mr. MILNER GIBSON said, in reply, that the Commissioners expected to conclude their inquiry at Easter, and that their Report might be expected to be laid before the House in May or June. He did, however, not think it probable that Parliament would be able to legislate on the subject this Session.

IRELAND—THE BREHON LAWS.

QUESTION.

Mr. M'MAHON said, he wished to ask the Chief Secretary for Ireland, When the Brehon Laws will be published, and whether he is about to take any steps for transmitting to the Dublin Record Office copies of those parts of the English Rolls relating to Ireland?

Mr. PEEL, in reply, said, he understood it was intended very shortly to publish the two first volumes of an edition of the Brehon Laws, and he believed that one volume would be published in the course of next month. With regard to the other part of the Question, the Government thought the papers which were of the most historical interest to Ireland were the Carew papers in the Lambeth Library, relating to the reign of Henry II. and Queen Elizabeth, and the Carte papers in the Bodleian Library, extending from the Reformation to the end of the reign of George I. It was intended to proceed almost immediately with the calendaring of the Carew papers.

REFRESHMENT HOUSES ACT.

QUESTION.

SIR **CHARLES DOUGLAS** said, he would beg to ask the Secretary of State for the Home Department, If he has received any communication from the magistrates of the Middleton Cheney Petty Sessions relative to the committal of two men for three months who were unable to pay a fine of 30*s.* for being drunk and riotous in a public thoroughfare?

SIR **GEORGE GREY**, in reply, said, it was quite clear that the magistrates were under the impression that the hon. Member had imputed to them a violation of the law. No doubt the letter of the law sanctioned the course which the magistrates had adopted. Under what was called Jervis's Act they had the power, where a penalty was imposed and there were no means of distress, of committing for any term, not exceeding three months, in default of payment. In the two cases brought before them the men had been previously convicted. The magistrates believed they had the means of paying the penalty, and in fact one of them paid the penalty within four days, and was then discharged. It was in the discretion of the magistrates to impose a penalty, but he thought that the spirit of the Act would be contravened if a penalty were imposed which it was known could not be paid, merely for the purpose of subjecting parties to imprisonment. It was clear that such was not the case in the present instance.

DUCHIES OF SCHLESWIG AND HOLSTEIN.—QUESTION.

SIR **HARRY VERNEY** wished to ask the Under Secretary for Foreign Affairs, Whether the following passage from a Despatch of Earl Russell's, of January 27, which has been published in some English papers, and commented upon by certain foreign newspapers, is authentic, namely:—

> "If Austria should allow Prussia to dispose of the Duchies as she pleases, serious complications would be brought on in Europe, the responsibility for which would naturally fall on Austria; and further, that the destiny of the Duchies can only be legally settled by the Confederation, and that Power which should usurp for itself the disposition of them, without their consent, would commit a most arbitrary act."

MR. **LAYARD** replied that he was much obliged to his hon. Friend for giving him the opportunity of stating that the despatch was a pure invention. No such despatch had been written, nor any despatch similar or approaching to it.

NAVY ESTIMATES.—QUESTION.

SIR **JOHN PAKINGTON** said, he wished to inform the noble Lord the Secretary to the Admiralty that before the House proceeded to discuss the details of the Navy Estimates he should ask for some explanation on certain points connected with the Navy; and he wished to know, Whether it would be more convenient to do so on the Question that Mr. Speaker leave the Chair, or after the noble Lord's usual statement? He wished also to ask—as his remarks might probably lead to some debate—whether an arrangement could be made by which the House might know with certainty when the Navy Estimates would come on?

LORD **CLARENCE PAGET** said, he thought that the most convenient course for the public service would be to allow him to make his statement first. With regard to the second Question, he proposed to ask the House to allow him to make his statement that night, if he could do so before ten o'clock.

SUPPLY— STATE OF IRELAND—RESOLUTION.

ADJOURNED DEBATE RESUMED.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [24th February], "That Mr. Speaker do now leave the Chair;" and which Amendment was,

> To leave out from the word "That" to the end of the Question, in order to add the words "this House observes with regret the decline of the population of Ireland, and will readily support Her Majesty's Government in any well-devised measure to stimulate the profitable employment of the people,"—(*Mr. Hennessy,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question." Debate *resumed.*

Mr. ROEBUCK: I have listened with considerable interest, but with still greater curiosity, to the debate of last Friday as carried on by Irish Members on Irish affairs. Now, I think I may say of myself that for many years past I have been what is called a friend of Ireland. There has been no discussion in this House with respect to her liberties or her people which I have not supported. On this occasion I have not been disappointed, for my expectations were not raised, but I have heard with sorrow a number of Gentlemen who for thirty years past have enjoyed Parliamentary and constitutional Government, advancing such statements as I heard upon Friday night with respect to Ireland. The hon. Member (Mr. Hennessy) who opened the debate, deserves, I think, the approbation of the House for the manner and temper with which he executed the task he had undertaken. There was an utter absence of all party and declamatory matter. There my approval ends. There was nothing in the speech which the hon. Gentleman made which probed to the bottom the mischiefs which now surround Ireland — nothing which suggested anything like a remedy. Really, Sir, the whole thing from the beginning to the end on the part of the Irish Members was a sort of moan of a beggar—a sort of mendicant whine, for I may so call it, without any thorough understanding or appreciation of what an independent man ought to be. The hon. Member who opened the debate began by stating two things with regard to Ireland which I am not going to contest. One was that Irishmen as a body were much stronger than Englishmen or Scotchmen; and the next that Ireland as a country was very much more fertile than England or Scotland. Well, one would have supposed that the necessary conclusion from that would be that the Irish people would be more thriving and more happy. Then comes the next proposition of the hon. Gentleman, which is really nothing more than a complaint of the Government of England. As to the proposal that the House "will readily support Her Majesty's Government in any well-devised measure to stimulate the profitable employment of the people," any statesman would know that it was mere idle verbiage and mischievous verbiage. But the real point of the whole debate was that Ireland was misgoverned by England. One hon. Gentleman said that Ireland would be rescued from her miseries if the Shannon were drained. The hon. Member for the Queen's County (Colonel Dunne) says that England has been draining Ireland for many hundreds of years, and that the drain was still going on. The hon. Member for Dungarvan (Mr. Maguire) had his small means of remedying the mischief, and that was a Tenant Right Bill. But the noble Lord the Member for Stamford said that any attempt to introduce a Tenant Right Bill was a mere matter of confiscation. Then the hon. Member for the county of Galway (Mr. Gregory) said that the great mischief was what took place with respect to the Galway contract. I want to know whether there was ever such a collection of little things about a great subject. Then, Sir, if this be the case with regard to Irish Members, I may be asked what I, as an English Member, think about the present state of Ireland, and I will state it fully and fairly. It has been said time out of mind —ever since I have been in this House— that "something must be done" for Ireland. Now, I have a horror of that phrase. If a man tells me that something must be done, I know he is prepared to do nothing. If a man intends that something should be done he points out what it is. But will any man look me in the face and tell me that the present emigration and the miseries by which the Irish population are surrounded would be relieved by the drainage of the Shannon? Now, I will ask what is the present state of Ireland—and this goes to the real difficulty— the country is divided against itself. The first great party in the country is that old party that for many centuries domineered cruelly over Ireland—I speak of the great Protestant party. They are said to be represented in this House by my right hon. and learned Friend — for I hope he will allow me to call him so— the Member for the University of Dublin (Mr. Whiteside), and by the hon. and learned Gentleman the Member for Belfast (Sir Hugh Cairns). The next party is the Catholic party, who were brought into political history in the year 1829. And then there is a third party, which is also represented in this House, the Republican party of Ireland, who call themselves Fenians—not Athenians—Fenians, and who want to separate Ireland from England, and to set up as a national government for themselves. Now, the first two parties I can discuss the question with. I can deal with them as to the condition of Ireland, and consult with them as to the modes of remedying it. But with the third I hold no parley whatever. Their efforts are directed to so vitally different an end that nothing can settle the question if they have the power but the sword. It comes to that—it means rebellion, it means separation from England, and so long as I sit in this House I am prepared, Sir, to put them down—aye, with the sword if necessary. Now, the first party of which I spoke—the old Protestant party of Ireland—in my opinion have made a great mistake. They have not accepted their mission, but have invariably turned their battery since he has been in office against the right hon. Gentleman the Secretary for Ireland (Sir Robert Peel). Now, I think there can be nothing more unfair than the whole proceeding. I heard the debate upon the riots in Belfast. The right hon. Gentleman the Member for Dublin University (Mr. Whiteside) and the hon. and learned Gentleman (Sir Hugh Cairns) really seem to be the representatives of the little dirty boys in Belfast, boys who got up a row which led eventually to the disastrous turbulence in Belfast, because the people of Dublin had been allowed to walk in procession in honour of Mr. O'Connell. Now, we are very often asked what has been done for Ireland. I will tell what I believe has been done in my time. At the beginning of this century Ireland was as ill governed a country as Poland is now. There was the curse of horrid bigotry upon that country; there was cruelty, there was misery, there was every sort of mischief predominant in that land. In the year 1829 a light broke over us, and the emancipation of the Catholics was granted. From that time to the present the House has been endeavouring with all its earnestness and all its power to do justice to that country. Now, what has been the result? Why, that Ireland now at this present moment is as well governed as any one of the three kingdoms. I defy an answer to that assertion. Is not law administered there with as much justice and honour as in England and Scotland? Can you find a body of men more upright and respected than the Judges of Ireland? Does any man whisper against them that they are partisans, cruel, or bigoted, and are not the larger number of them Catholics at this present time? In fact, there is no distinction between man and man on account of his religion. As far as law is concerned then Ireland is well governed. Well, then, coming to the administration of Ireland, I ask is there anything in it cruel or unconstitutional? Is anything done in that country to controvert the right of any one individual, and is not the voice of his complaint heard in this House directly? Do we not do our utmost to do justice to every human being in Ireland? Well, then, I say that Ireland is as well governed as any of the three kingdoms. But the hon. and gallant Gentleman the Member for Queen's County (Colonel Dunne) says you are draining Ireland. Now let me consider that point. Take a peasant and a man of £1,000 a year in Ireland. Do they pay one farthing more in taxation than persons of the same class in England? Does the man with £1,000 a year in Ireland pay more for his horses, his servants, or his house? Does he pay more income tax than he would pay in England? Then look at the indirect taxes. Do people pay more in Ireland for their sugar and their tea than they pay in England? If not, how is Ireland "drained?" It is all very well to give us figures and facts; I long ago found that figures and facts will prove anything. But the test I have just applied is one which you cannot answer. Taxation in Ireland is no higher than in England. As a matter of State necessity you are obliged to tax the people of all the three kingdoms, but in doing so no favouritism is shown to an Englishman or a Scotchman above an Irishman. Then, again, is not an Irishman's career quite as safe in England as that of an Englishman? Though we know he is an Irishman by his peculiar manner in talking, do we care for that? Do not we receive him everywhere as a brother and a friend? Is there any difference in our treatment of him? No, and yet Irishmen indulge in this constant whining, which they have sucked in from old nurses from a people whom our grandfathers oppressed. They are the mere disciples of any old woman who chooses to talk to them—but it is only talk—of the difference between the two countries and the wrongs of Ireland. Now let me again advert to the right hon. Gentleman the Secretary for Ireland (Sir Robert Peel). He is in a very difficult position. The position he holds is the most important in the Government next to that of Lord Russell. I say this advisedly. And what has he to do? He has to deal with the combustible mass that I have described. If he favours the Catholics, or does them a kindness, up jumps the hon. and learned Gentleman (Sir Hugh Cairns) or my right hon. and learned Friend (Mr. Whiteside), and accuses him of doing an injury to Ireland. If, on the other hand, he does a good-natured thing to the Protestants, he is found fault with by the Catholics. Now, to my mind, it marks the goodness of the right hon. Gentleman's government that it is thus found fault with by both sides. What is he to do in this difficulty? Why, pursue the straigtforward, manly course which an Englishman placed in that position ought to pursue. Go straightforward in the path of truth and honour, and do whatever truth and honour tell him to do. I sincerely believe that the faults which belong to the right hon. Gentleman are very much the faults of the people among whom he dwells—he is too impulsive and he talks too much. If he would practise the art of silence—and a great art it is—if he would learn to shake his head with gravity and use "wise saws and modern instances"—I think he would be a more effective Secretary for Ireland. Still I cannot hide from myself that an injustice has been done to the right hon. Gentleman. He has done what he believes to be for the good of Ireland; he has brought a kind heart and generous hand to that country, and the people who turn upon him and find fault with almost every act of his administration cannot know how difficult it is to govern Ireland aright. Then, what do I propose for Ireland? A Government grant? Not at all. I think with the Chancellor of the Exchequer that well-devised schemes may possibly receive with advantage Government aid. But the mischiefs of Ireland lie deeper than that. The evil is that they quarrel among themselves, and when I see men in the prominent position occupied by the two hon. and learned Gentlemen pandering to small prejudices among Protestants, and doing what they can to alarm all the old women in the kingdom, I say there is little to expect from that party. Then I turn to the Catholics. They are led by their priests. Recollect the position in which the priests are now. The priests have taught the people until at length the people have gone beyond their teachers. The late election at Tralee gives a curious instance of the declension of priestly power in Ireland. And I am very curious to know what will occur at Tipperary, because there we have a clear case of the Catholic clergy pitted against what is called "Young Ireland." The fact is, that the Catholic clergy have gone beyond their mark. This does not surprise me. Napoleon said that if you scraped the varnish of civilization from a Russian you came upon a Kalmuck. So I say if you scrape off the varnish of civilization from the Irish priest he becomes the Irish peasant. The Irish priest has all the passions and prejudices, all the narrow sympathies and contracted views of the Irish peasant. It is the blind leading the blind, and that they should both tumble into the hole does not surprise me. To both parties, then, I say, "Break down the prejudices that have beset you for ages." I know that England has been a cruel stepmother to Ireland. I say so, and have said so—up to the year 1829. But from that time to the present, I defy anybody to show me anything in our Legislation that you can find reasonable fault with, except the Coercion Bill for Ireland, which was about the last trait of cruelty manifested by this House. From 1829 to the present hour, with that exception, the great object of the House has been to do justice to Ireland, to make her people happy, to give them the power of governing themselves, to make them in all things as far as possible the equals of Englishmen and Scotchmen. It now only remains for the leaders of opinion in Ireland to set an example of the same sort; and if my right hon. and learned Friend and the hon. and learned Gentleman will tell their friends that the time for Protestant domination has ceased for ever, that henceforth all Irishmen must be equal before the law, that the law must be paternal, kind, and good to all alike, and that all party domination must cease for ever, they will have done a great deal to soften down the animosities on their side, so disastrous to their country. To the Catholics and priests of Ireland I say, "Accept your position. Ireland is not a province of England. It is one-third part of the great Empire. The people of the three kingdoms are all equal. We want Irishmen to be as well governed as ourselves. You are our equals. We want you to be as happy as ourselves. We want you to be one with us in happiness, one in greatness, one in virtue, and one in honour." I say that until Irishmen break down their petty prejudices and animosities they will be condemned to be what they are now. It is not £100,000 or a million of public money that will lift them from their present condition. They must accomplish this for themselves. It is not enough to tell me that the centre of Ireland is lower than the shores; that is not the cause of the misery of Ireland. It is not enough to tell me that we have coal and they have little or none; that is not the cause of the misery of Ireland. The misery of Ireland comes from her own children. It is their own weakness, their own prejudices, their own narrow views, their own hostility to each other, that has created and will continue to create the misery of Ireland. I say once for all, that until that is done away with there will be no hope for Ireland.

LORD DUNKELLIN could assure the hon. and learned Member who had just sat down, that he was not going to add one note to that wretched whine for money of which he had spoken, but when the case of wretchedness and misery of Ireland was brought before the House, he thought that it would have been well to have kept to the facts on which a hearing was demanded. In the debate which had taken place, he denied that there had been any whining for public money; and although several Members had spoken of advances by which Irish enterprise might be stimulated, it was by loans to be repaid. He had heard no proposal of grants in any way that could fairly be called a whine for public money. Among all the panaceas which had been propounded for the cure of Ireland, he had listened in vain for those of the hon. and learned Gentleman. He (Mr. Roebuck) had admitted that evils did exist, and that there were dissensions amongst Irishmen, but he (Lord Dunkellin) could not allow that the latter were the cause of the former. In speaking of distress, he was referring exclusively to the west and south of Ireland, for he admitted that the north with its manufactures was flourishing; and it was probably from the happy condition of the north, that statistics were derived which led the right hon. Baronet to infer the general prosperity of the country. He believed that the right hon. Baronet and the Government relied too much on statistics in the matter. Statistics were very useful in their way, but they could not supersede the experience which a man obtained by the exercise of his own senses. The hon. Gentleman who introduced that Motion (Mr. Hennessy) had referred to the speech of the chairman of the Great Southern and Western Railway, for the purpose of showing that the traffic in cattle had greatly decreased along that line; but the right hon. Baronet quoted returns in reply, with a view to show that the number of cattle in Ireland had actually increased, and he then inferred that if there was a diminished traffic under that head, that circumstance must be owing to the fact that the cattle were kept in the country for consumption or other purposes. But the south and west of Ireland formed an essentially agricultural district, and it would be idle to imagine that their condition was improving, while one of their chief products was less extensively exported. The right hon. Baronet had also stated that there had of late been an increase in the deposits of the Irish Savings Banks, but he (Lord Dunkellin) should feel much surprise if that increase had taken place in the southern and western portions of the island. He would next refer to the important and painful question of emigration. The right hon. Baronet had told them that the number of emigrants from Ireland in 1863 was 117,000, while in 1864 it was 114,000. Now these figures no doubt showed a slight diminution. But it should be remembered that in the later case the number was taken from a smaller population, and there was, therefore, reason to suppose that the per centage of emigration to population remained almost unaltered. It was certainly impossible to look with unmixed regret on a movement which must be supposed to afford some advantage to the people who immediately engaged in it. But it was a serious evil that it was the sick, the pauper, and the aged that were left at home, while the men who emigrated belonged to that class—heads of families, strong and stalwart men—which he should like to see remain in the country, It was this circumstance, more than the amount of the emigration, that had occasioned alarm. Some said that the cause of the emigration was the inability of the people to live on the land where they were located. That was undoubtedly one of the sources of the distress existing in the west, and also, he believed, in the south of Ireland. The population there were essentially agricultural, and though during the season of agricultural operations they were able to earn a sufficient amount of wages, yet in the winter they were unable to get wages enough to provide themselves with the means of living. The consequence was, that during winter the people of the agricultural districts crowded into the different towns of the neighbourhood in search of food or relief, the towns became over crowded, and the work which was sought for could not be obtained. In the town (Galway) he had the honour to represent, there were hundreds of honest men who were anxious to obtain any kind of employment, by which they could earn a fair day's wages to take home for the support of their families, but who were unable to obtain it. It was while these people were positively starving, that the country was pained by reading in the newspapers that in the Speech from the Throne, a feeling of congratulation was expressed on the prosperity of Ireland. The result of the want of capital and the means of employment, was forced idleness, and that produced—not disloyalty—distrust and dissatisfaction. Why did that dissatisfaction and distrust exist? He believed it was because during the whole seven years that the present Government had been in office, they had never consulted the feeling of the country on any subject, or undertaken any work of importance for its advantage. It was easy to say that the Irish people were always grumbling and always making requests; but why was that so? Because their grumbling and their requests were never attended to. The Chancellor of the Exchequer had taken great pains to guard himself against being supposed to hold out any hopes of assistance to Ireland, and had spoken of certain exemptions which she enjoyed in respect to taxation. With regard to the income tax, the right hon. Gentleman argued that Ireland had some advantage in the mode of valuation. Yet whether the valuation was high or low, the landlord had to pay his income tax on a pound before he received it. But he maintained that the imposition of the income tax at all on Ireland, was unfair towards that country. When the late Sir Robert Peel imposed that tax on England in 1842, he did not extend it to Ireland, but he subjected her to two other additional burdens which he regarded as an equivalent for that exemption. He laid on a duty of 1*s.* per gallon on spirits manufactured in Ireland, and he also raised her stamp duties, a tax which, he said, was to some extent a tax on property, to the same level as the English stamp duties. Well, how did matters stand with Ireland in 1865, when it certainly could not be said that her condition had greatly improved? Why, when Sir Robert Peel placed the extra shilling on Irish spirits, the tax was augmented to only 3*s.* 8*d.* per gallon, and since then the Irish spirit duty had been more than doubled. The increased stamp duty also remained; and in addition to that they had been burdened with the income tax itself, which they were forced to pay before they got their income. That was the state of things, forsooth, under which they had the grim satisfaction of being congratulated by the Chancellor of the Exchequer on their immunity from taxation. When he blamed the Government for their conduct towards Ireland, he did not include the Chief Secretary (Sir Robert Peel) in his censure, because although they found fault and took liberties with that right hon. Gentleman, they were all willing to own that he was actuated by a desire to do his duty, to help the country and push forward its material prosperity; but, unhappily, the right hon. Gentleman was only one among many, and the Treasury, which was the real controller of every public outlay, was always unwilling to afford any assistance to Ireland. He said that the tendency of their financial policy had been to destroy rather than to stimulate the industry of Ireland; and, no matter what might be the cause, it was painful to see such large numbers of able bodied men leaving the country. It was said that it was easy to get up a cry of distress, without attempting to devise a remedy. No doubt it was hard to devise a remedy, but it was surely incumbent upon those who governed the country rather than upon a private Member to attempt to do so. He did not wish to adopt the whine of a mendicant, but he might say that there was an idea prevalent in the country that great good might be done if a stimulus were given to public works. A great deal of good might, he thought, be done, if facilities were afforded in Ireland for the carrying out of useful public works, such, for instance, as that for the improvement of the Shannon, and that for a system of arterial drainage on the western part of the island, and that for improving the harbour of the town (Galway) which he had the honour to represent. The encouragement of such schemes as those would, although they might not affect the whole of the country, yet afford evidence, at all events on the part of the Government, of a desire to meet its wants and requirements. It was not wise, he maintained, by refusing to take some such course, to alienate the people of Ireland from the Liberal party. It should rather be the endeavour of the Government to conciliate their good will, which might easily be secured by a policy of kindness and conciliation, for they were a warm hearted and generous race. In other countries money was freely expended in the development of the national resources, and he did not see why, in the case of Ireland, so good an example should not be imitated. He put it to his hon. Friend whether the better course would not be to rest satisfied with the result attained by the Motion as it stood, than to press it to a division; and in that event, he trusted the attention of the Government having been called so forcibly to the subject, they might see their way to adopt some measures tending to diminish the destitution and misery unhappily so prevalent in Ireland.

SIR HUGH CAIRNS: Sir, I have no intention of entering into the various questions into which this debate has wandered. The House, I am sure, heard with pleasure the careful, calm, able, and interesting statement of the hon. and learned Member for the King's County, who proposed this Amendment, and I own it appeared to me that the topics which he brought forward were well worthy the consideration, and, if necessary, the further inquiry of the House. But, at the same time, if I were called on by recording a vote to pledge myself to the proposition which appears on the paper I should have difficulty in affirming, at all events, the first part of it, knowing how very different interpretations the early words of his Amendment must be susceptible of. The hon. and learned Gentleman asks the House to affirm that it observes with regret the decline of the population of Ireland. Now, as an abstract proposition I entirely concur in that statement, and I am sure we must all regret very much that circumstances should have existed leading to a decline of the population. We all must regret that it has occurred. Of course, wherever there is much emigration from any country the youngest and strongest and most energetic go, and those who are not so young or so energetic remain behind. But if I am asked to say, taking Ireland as it is, and taking into account all the circumstances of Ireland, that I regret there are not 3,000,000 or 4,000,000 more inhabitants in the country than there are, I must own that I do not regret it. However we may lament the state of Ireland, I believe that we should have to lament it very much more if the population, instead of being something over 5,000,000, were between 8,000,000 and 9,000,000. But I rise not so much to observe on these points as upon some comments made by the hon. and learned Member for Sheffield (Mr. Roebuck) who sits below the gangway. There is a very excellent and wholesome Rule of this House which has been often enforced by you, Sir, from that seat—that it is not convenient or regular that in any debate reference should be made to what has passed in another debate. We had a debate a very few nights ago, not on the general condition of Ireland, but on certain isolated and separate matters of administration connected with the law in Ireland, with reference to which certain distinct and specific charges were made against the Government, which received from the Government such answer as they had to give. The hon. and learned Member for Sheffield either was or was not in his place on that occasion. If he was, and thought these charges ill-founded, I venture to think the Government would have received with open arms any assistance from him or any other English Member who ventured to rise in his place and say, while there was a capability of answering him as to the facts, what he has said to-night. If he had risen then I should not have had an opportunity of replying to him; but my hon. Friend the Member for the University of Dublin, to whom he has referred so plentifully to-night, would have had an opportunity of answering. And had the hon. and learned Gentleman the Member for Sheffield repudiated as nonsense the statements put forward in debate, treating these as mere disputes about some idle boys—had he then said, "You do not mean to allege that there is any charge against the Government with respect to the administration of the law, any partiality in its administration, or anything more than what kind words addressed first to one side and then to the other would prevent," the hon. and learned Member would have discovered—what he is too old a tactician to expose himself to

—that there was behind a crushing and conclusive reply to all such observations. That was a discussion, not seeking any new legislation, not desiring the aid of the House to further the whine of a mendicant, it was a debate in which specific charges—whether those charges were right or wrong I am not going to argue now—specific charges of partiality in the administration of the law were brought against the Government. The hon. and learned Member for Sheffield either does not apprehend the nature of that debate, or his singular reference to it to-night can only be explained by assuming that he had not the courage to say on a former occasion what he knew could then be answered and disproved. But the hon. and learned Member for Sheffield has appeared to-night in a new character. He comes forward to explain what were really the evils of Ireland, and how they ought to be cured. And it seems it is not through the Shannon, the Galway contract, the land question, nor any of the other matters which have been alluded to in this debate, that any amelioration or satisfactory settlement is to be looked for; what Ireland wants is a few kind words, a little good feeling and harmony, and gentleness of expression between the various classes of which the country is composed. The hon. and learned Gentleman is, we know, an adept at pouring oil on the troubled waters; but he has never probably shone with such triumphant splendour and lustre as on the present occasion. Because observe what he does; he divides Ireland into three classes. The first class he called the Fenians, and suggested that they were represented in this House very largely; for, though he did not mention any names, he pointed in various directions, indicating that an incredible number of Members were returned by the influence of that body. And what would he do with these Fenians? Say a few kind words to them? He would exterminate them with the sword. Nothing short of that; he would hold no parley, no conversation with them. Then as to the other two classes—with them he would hold conversation. I am sure they are very much flattered by the condescension of the hon. and learned Gentleman; but let us find a specimen of the honied words he thinks they should address to one another. He takes the most numerous class, the Roman Catholic population of Ireland; and what does he tell them? He speaks of them and of their spiritual advisers in the same breath, and he says they are "blind leaders of the blind," adding that he shall not be much surprised, and hinting that nobody need very much regret, if they both fall into a deep hole and are lost sight of together. He speaks next of the Protestants, and, reverting to the commencement of the present century, says those were times of oppression, of rapine, and plunder, all of which he ascribes to the desire for Protestant ascendancy, and he quietly and good-naturedly suggests of the Protestant population that their heartfelt desire is not to live in harmony with their fellow subjects, or in the enjoyment of the equal protection of the law, but to revive those very times which he calls times of rapine, of plunder, and oppression. Those are the honied words in which he addresses the Protestants of Ireland; and illustrates and inforces his doctrine that all which Ireland needs is a little kind speaking on the part of the different classes towards each other. The hon. and learned Gentleman also gives some advice to the right hon. Gentleman the Chief Secretary for Ireland (Sir Robert Peel). He says he went over to Ireland with a sincere desire to do good to the country — to which I say that I believe every word of that statement; he says the right hon. Gentleman has shown great courtesy in his administration of the duties of his office, and, from my own experience, I most gladly bear testimony to the accuracy of that assertion. But then, he says, he has one fault, he is too much like the people he governs, he is too impulsive, too much in the habit of saying kind things first to one side and then to the other. The hon. and learned Gentleman not only gives the Chief Secretary advice — he sets him an example. And if the right hon. Gentleman chooses to follow that example, and to use the tone and language which are held out as the model according to which he should demean himself, I only hope that some of us, who have occasionally expressed surprise at the doings and sayings of the right hon. Gentleman, will be present on the occasion that he puts in practice the lessons of conciliation acquired from the hon. and learned Member for Sheffield. The hon. and learned Gentleman in his observations to-night has done me the honour to refer to me as the representative of the Protestant population of Ireland. I venture to think that in this House, and especially near that part of it where the right hon. Gentleman himself sits, he will find a score, or more than a score, of Members who have as much right as myself to represent, and who do equally represent, the Protestant population of Ireland. But I disavow altogether the claim which the hon. and learned Gentleman has set up on my behalf. I deny that I represent, exclusively the Protestant population of Ireland. I represent a town comprising Protestants and Roman Catholics; and that town has done me the honour to send me to this House; and I stand here as much to represent the Roman Catholic as I do the Protestant population of that town. The hon. and learned Member says the Irish Members are in the habit of coming to this House with mendicant whine asking for public money. I repudiate the assertion. And I can tell the hon. and learned Gentleman something more. Speaking not merely with reference to the present year, when the north of Ireland, and more particularly the part with which I am connected, is happily enjoying unusual prosperity, partly arising from the state of manufactures, and partly also from the favourable harvest of last year, but speaking also of very different times, when manufactures were not thriving and harvests were not good, I deny that at any moment the north of Ireland, the portion of the country with which I am best acquainted, came to this House with mendicant whine, or with any whine at all, or ever asked for a shilling of public money, or for assistance of any kind. And rejoicing as I do at the prosperity of the north of Ireland, I rejoice the more because I know it to be owing to the unaided exertions and energy of the people, and not to any aid or assistance of the Government. But the hon. and learned Gentleman tells me that all that is wanting in the north of Ireland is that I should tell the people of the north, that the days of Protestant ascendancy are passed, and that there is for the future to be equality of law and impartiality of Government for all classes of the community. I have not the experience of the hon. and learned Gentleman, but I have some experience of Ireland; and I will say that in my remembrance I never heard of a public man in the north of Ireland on any occasion, public or private, who ever hinted that he desired to see any system prevail in Ireland except one which would secure a true, impartial, and just administration of the law for all parties. I go farther, and say that I never yet heard any public man in the north of Ireland who did not exhort all classes to live peaceably together as friends and fellow-labourers in the great work of regenerating and improving their country. I go further still, and I tell the hon. and learned Gentleman there is not a constituency in the north of Ireland who would tolerate language of a different description coming from any person who sought to address them. I am happy, Sir, to think that, as regards myself and my conduct here, my character is in the hands of the House, and the House will say whether I have ever asked for anything but a just and impartial administration of the law. Sir, as to the mode of addressing my constituents, I will neither ask the advice of the hon. and learned Gentleman. nor follow his example. But when he says I ever in this House, as an Irish Member, asked as a whining mendicant for public money, or that I ever out of this House have addressed my constituents in language implying that I, or they, desire anything but impartial justice, the suggestion is not more reckless than it is without foundation.

MR. LOWE: I hope the House will allow me to recall its attention for a few moments to the more immediate debate of to-night, although the subject may be less exciting—and certainly, as far as I am concerned, in very inferior hands. The question is one which has hitherto been unsolved, and is, perhaps, insoluble; but, in obedience to the orders of the House, I spent last year a great part of my time in investigating the grievances and complaints of Ireland, and my reflection on the matter has led me to certain conclusions which I ask permission to lay briefly before the House. I quite agree with the hon. and learned Gentleman who has just sat down in what he has said with regard to the first proposition before us to-night, which calls on us to lament the decrease of the population of Ireland. In the abstract, no spectacle can be presented to the human mind more melancholy or lamentable than a nation declining in population; and if anything can increase the melancholy of such a prospect, it is that the decline of population is not slow or gradual, but effected by a great displacement of the people, a great transfer of human beings from one part of the world to another, which cannot take place without great and grievous physical suffering, and laceration of the best feelings of humanity. But the hon. and learned Member for the King's County (Mr. Hennessy) does not lay before us an abstract proposition. His proposition is with respect to a particular state of things. It is with respect to the existing state of the Irish population that he calls on this House to lament its decline—that is, the emigration which is undoubtedly thinning its numbers. That is not to be taken in the abstract, but together with the circumstances surrounding it. Now, what are the present circumstances of Ireland? I gather them from Irish Members who have taken part in the debate. They have stated, and I for one give implicit credit to the statement, as coming from Gentlemen entirely to be relied on, and well knowing about what they speak, that there does prevail in many parts of Ireland very great distress, poverty, misery, great discontent, and I fear, some disaffection. That is the condition of things in Ireland; and I ask, if that statement is true, if there be among the population of Ireland so much misery, poverty, destitution, and discouragement, ought the House to lament that under Providence, the scientific discoveries of the age, increasing intelligence from schools and other similar causes, have opened to them and led them to the means of escape from a destiny so forlorn? Ought we to lament that they are able to find a place in another country where they may attain that employment, that comfort, that hope for the future, which they are unable to find at home? I can only regard this emigration, unpopular as the sentiment may be, as a double good—a good to those who go and to those who remain—to those who go because they are lifted out of abject misery and dependence into, I hope, a condition of comparative comfort, and to those who remain because the diminution of competition must necessarily leave the wages funded to be divided among a smaller number, and so far ameliorate their condition. I admit the drawbacks that exist, the great misery, and laceration of feeling that must occur. They are the best—not the poorest—who go, and they carry their capital with them; but, still, looking to the matter as a national movement conducted on a great scale, I cannot bring myself to admit that it is not a good to those who go and a relief of misery to those that remain. Therefore, I find myself unable to agree to the first proposition of the hon. Gentleman. The noble Lord who spoke a little while ago referred to the causes of this emigration, and said that he did not care what those causes were. I do care, and I think it well worth while for the House calmly and dispassionately to consider what are the causes which have led to this unparalleled phenomenon; how, in a country divided only by a narrow strait from this great and opulent country, we should see our fellow-subjects, for whom we would do all in our power, reduced to such a state of misery as to quit their homes and seek new ones with a distant and not very friendly Power. The question is one which must not be discussed in heat or anger, but calmly and dispassionately, and if so considered I think it is possible to arrive at a right conclusion. The solution of the matter most frequently put forth before the Committee of last year was this—the cause of the miseries of Ireland is to be traced to her over-taxation; she is ground down by an enormous taxation, and utterly unable to stand up under it. The principal argument stated before the Committee was that the taxation of Ireland was similar to the taxation of England; that Ireland was poor and England rich, and therefore that Ireland could not bear the same taxation as England could bear. That argument would be very good if taxation were adjusted on a cast-iron principle, if every square mile of ground in Ireland and every head of the population were charged with the same amount as in England. But I always thought that our taxation was regulated on a very different principle—that allowing for the roughness incidental to such a process, every man in Ireland, like every man in England, was taxed according to his ability. He either pays a certain percentage on his income according to his poverty, or according to his abundance; or, in the taxes on commodities, it entirely depends upon his expenditure what he pays, and thus taxation was adjusted to the circumstances of individuals. It appears to me also that when we speak of a poor country we use a fallacy. It is not England or Ireland the mere geographical division that pays, but Irishmen and Englishmen. The proposition comes to this, that a rich man living in a poor country ought to be more lightly taxed than a man of equal riches who happens to live in a rich country; and no proposition can be more absurd than that, especially as the probability is that the man who lives in a poor country, will find his money go further than the other. If we look at the incidence of our taxation, now so admirably adjusted, it is impossible to say that it has prevented that rapid increase of capital, the want of which is one great evil of Ireland. Take the case of the manufacturer. There is no tax on raw material—he is merely taxed on his profits returned by himself. Take the case of the peasant. The material of which his cabin is built, the clothes he wears, and his food are all free from taxation. The only form in which the taxgatherer approaches him is in respect of the whisky, tobacco, tea, and sugar, which he consumes; and he consumes very little of the two latter. Of course Ireland would be richer if she did not pay these taxes; but it appears impossible to say that it is the incidence of taxation that has ground down the people of Ireland. I asked the witnesses, very intelligent gentlemen, who came before the Committee, what they would propose in the way of remisson. They proposed the reduction or abolition of the income tax. "What," I said, "in order to stimulate trade, or relieve the suffering poor of Ireland?" "Yes;" they said. "And if that was not done, what next?" I asked. "Lower the duty on whisky," they said, in order that what they called a necessary of life may be had cheaper than at present. This is a sample of the sort of arguments addressed to us, and I must say that those Gentlemen who have submitted Reports have done well in not insisting much on this part of the evidence. Then it is said that absenteeism has brought Ireland to her present state. But absenteeism is not an evil peculiar to Ireland. Many counties in England, Wales, and Scotland, have absentee proprietors. The colonies, also, have suffered from the same cause. There is hardly an Australian colonist who comes to this country who does not leave landed property behind him; and yet they all continue to prosper in spite of absenteeism. Without denying that absenteeism is an evil, it is obviously quite inadequate to account for the present state of misery and destitution in Ireland. Then I go further, and take the tenure of land. It is said that if tenants could only get compulsory power of recovering for improvements made by them, that would relieve the distress. But it is said, also, in the same breath, that there is a great want of capital in the country, especially among farmers. How are improvements to be made by persons deficient somewhat in skill, and very much indeed in capital? Then there is against that also the argument that there is nothing more fatal to the progress of agriculture and civilization generally than a compulsory partnership between two persons on the same land, such as we have here experience of in copyholds and tenures of that kind. It appears to me to be quite impossible to attribute the distress to the want of a law of fixity of tenure, or compensation for improvements, which is entirely unknown in England. Then the noble Lord the Member for Stamford (Lord Robert Cecil) said that one thing was peculiar to Ireland, and that was the English Government. In answer to that, I would refer to what the hon. and learned Member for Sheffield (Mr. Roebuck) so eloquently said, that wherever an Irishman went, however much he might better his physical condition, he would not exchange his government for a better. The last suggestion was that of the hon. Member for Sheffield himself. He blames the unhappy discords and divisions in Ireland, but it is impossible to maintain that it is the discords and divisions in that country which make the increase of capital so small that it is barely able to maintain its population. We have seen other countries torn by the most dreadful contests—the Republics of South America, for instance; the United States; or even our own country, in former days; and yet during all these periods, in all these countries, and I might enumerate many others, while there was discord, even to the shedding of blood, capital went on accumulating, civilization went on developing—not so quickly as if these things had not existed, but still with a certain progress and without the onward current being arrested. And Ireland has this advantage, that we are there to act as peacemakers, to prevent any serious breaches of the peace. In my own experience, however, I may say these riotings are not peculiar to Ireland. Even the Irishmen who emigrate to Australia keep up the practice. I recollect they used to send challenges to each other to meet, not singly, but in large numbers, and fight it out with deadly weapons, and we were obliged to introduce the Party Processions and Party Emblems Act on the other side of the world. Yet I am bound to say that though that was so the Irish in Australia were eminently prosperous. Whatever might be the disabilities which attached to them in their own land, when they got to the Antipodes they throve as well as any other race. Having noticed these different points, I wish to state what I think, after much reflection, is not the solitary but the principal cause of the evils of Ireland—and it can be stated without offence to any man or party. We have, I believe, undervalued altogether the climatic influences in Ireland. We speak of it as if it had the same climate as England, only a little modified by geographical situation. I believe the true analogy to the climate of Ireland is to be sought rather in the long belt of islands which stretch along the coast of Scotland up to the northern point of Lewis, and which form a breakwater, as it were, between the Atlantic and Great Britain. In these islands there was once—in Skye there is still—a large population struggling to subsist on agriculture, subject to periodical famine, and reduced to misery. And this was without any fault of their own, for they had excellent land to till, and every assistance ; but they were unable, on account of the extraordinary humidity of the air, as well as the heavy falls of rain, to raise their crops. The influence of climate is not so bad in Ireland because it lies further to the south; but, from what I have myself observed, and have been told, something very similar is the case in that country. Ireland, though from the moistness of the climate fit principally for pasturing cattle, unfortunately relies upon agriculture, and upon agriculture in the form in which it is most dangerous in respect of such a calamity as the failure of the crops—agriculture carried on by small cultivators growing grain and, worse still, potato crops on small patches of ground. Add to the disadvantages of climate and division of the soil the acts of the British Government. We chose to impose artifical impediments in the way of the importation of foreign corn, and raised up and fostered in Ireland the factitious industry of growing cereals for which the climate is not adapted. An immense population was thus brought up dependent on an industry which the caprice of the climate must render eminently uncertain and fluctuating. Moreover, the people grew up subject to a contingency which would aggravate the failure of crops owing to the badness of a season. This contingency was that the English people should come to their senses at last, accept the doctrines which science and common sense combined to demonstrate—the doctrine of free trade, and remove all impediments in the way of importing foreign produce. Unfortunately, both these things fell on Ireland at once. There was a failure of the crops at the same time that the Corn Laws were repealed, and, however justifiable that measure, it was a heavy blow to be dealt to a country in the condition of Ireland, and it has proved much heavier than any one was aware of at the time. But it is not right to say that the evil was caused by free trade. It was caused by protection, which fostered a vicious and factitious system, and provoked an inevitable reaction. We all know the misery that ensued. A little gleam of light came out after a time, and Ireland recovered in some degree from her distress, but I fear the warning was not sufficient, and that there is still a disposition to cling to the previous style of agriculture—the cultivation of cereals and potatoes. We have had similar experience in England. In some parts of this country people are not fully alive to the propriety of discontinuing the kind of cultivation which the Corn Laws had fostered and taking to that for which the climate is better fitted—the raising of stock. But the bad seasons which have occurred since 1859, and the experience that followed, have led Irish proprietors very much to the conviction that it is vain to go on treating Ireland as a purely agricultural country. They feel that if they wish to derive any real profit from their estates they must convert them more or less, according to circumstances—and, of course, some parts of the country must be treated differently from others—into pasture grounds. That is the change, as has been already remarked in this debate, which is taking place in Ireland. It is passing from the condition of a corn-growing into the condition of a pastural country. The change, no doubt, is a melancholy one, because it involves the displacement of an immense quantity of labour ; but if it be true, as I believe it is, that the country is unable to bear, under the conditions of its climate, the population which has been raised up by bad laws and misdirected industry, then the change is inevitable, and one for which no Government, no party, no individual, or aggregate of individuals, can be held in any way answerable. This being the state of Ireland, the people are subject to the influence of economical laws which, though they act on the will of men, are as certain to assert themselves as the laws of nature. If numbers of these small farmers and other agricultural labourers are displaced they must find other employment. Ireland offers them no other choice. In England there is a perpetual emigration from the agricultural districts to the large towns, and statistical inquiries show that otherwise the population of the large towns would die out. But Ireland has not this resource. Ireland has no manufactures in which the displaced agriculturist can seek refuge, and, therefore, when a man is driven from the cultivation of the soil he has no alternative but to starve or to seek a home elsewhere. I can imagine no condition more irritating, depressing, and discouraging than that. It is deserving of our utmost sympathy and compassion, and, if it be in our power, of alleviation; but, unhappily, that is beyond our power. We can only deplore that there has been so fatal a miscalculation of the capacities of Ireland, and that the industry of the country has been fostered on an unsound and deceitful basis. When protection ceased, Ireland found herself unable to keep on growing cereals in competition with countries more favourably situated, and that cannot be helped. But are there not causes which aggravate the present painful state of things? I do not believe the taxation of Ireland to be one of the grievances of the country; but there is a kind of voluntary taxation which must be particularly irritating to the people of Ireland — the taxation which the people out of their misery and destitution are obliged to impose on themselves for the maintenance of the ministers of their religion. I cannot conceive anything more vexatious to a nation than to find themselves, by the working of economical laws which they probably do not understand, and for which they not unnaturally blame the Government, exposed to great misery, called upon to contribute to the maintenance of their clergy, while at the same time they see other clergymen, who however exemplary in life and character, are not of their faith, and have small or no congregations, living in comparative ease and luxury on public funds. Another unnecessary evil, in my opinion, is the way in which we govern Ireland. Quite contrary to the sound practice in England, we identify the head of the executive Government in Ireland with the political party which is for the time in power. The consequence is that any political party, whatever it may be, not in office finds itself in opposition not merely to its antagonists, but to the person who represents Her Majesty in Ireland. Thus the people are taught by this vice of the Constitution, which we persist in sanctioning, to identify the executive Government with the odium which attaches more or less to each political party, and to direct their energies not so much to replace the statesmen in whom they have no confidence by others in whom they do place confidence, but to the injury and damage of the executive Government itself. That is another cardinal vice of the system. These are evils which even if checked would not put an end to the distress of Ireland, but they are a grave aggravation to a lot which, from its misery and bitterness, needs no aggravation whatever. I have now explained my humble views as to the causes of the present misery of Ireland. I approach the more difficult part of the subject—the suggestion of a remedy. Some of the mischief cannot be remedied at all, some can be cured only by Ireland herself, and some little good can be done by this House. It is competent for the House to take into consideration, if it choose, the question of the Irish Church. Of course it is competent for the House, if it think fit, to adopt the colonial plan of apportioning the revenue, set aside for public worship to each denomination in the proportion of its numbers to the aggregate of the population. It is competent also for the House to remove the evil of exposing the head of the Government in Ireland and the representative of the Queen to the odium and abuse which is directed against any political party by its opponents. The House can do these things if it please, and I hope some time or other it will do them. But more than that, in my humble opinion, it is impossible for it to do. It is impossible, in justice to the whole of the Empire, that we should enter on the track suggested by the noble Lord the Member for Galway (Lord Dunkellin). It seems to me quite out of the question that we can give subsidies to the people of Ireland under the name of public works. Indeed, the very case he mentioned—that of the Shannon—illustrates this. The effect of these improvements, paid for out of the public money, is obviously to improve the value of private estates. Rashly to undertake great public works upon Government responsibility woud be unworthy of this House. We are asked to take the public money of the United Kingdom and expend it in Ireland, bidding against the labour market of America, in order to retain the people of Ireland by employing them on public works. Was there ever a plan so hopeless as that? In the first place, you cannot compete with the labour market in America. What you would do would be to derange the whole system of private employment of labour and throw things into confusion. As to stopping the exodus from Ireland by such means, the thing is simply impossible. If I am right, and the present state of things is due to the change from an agricultural to a pastoral country, then the result must necessarily be that time and constant emigration can alone relieve Ireland. You cannot go on spending money on public works in Ireland. The expenditure must be very large if it is to produce the slightest effect, and then it cannot be continuous. The result of that foolish contest with the labour market in America would be that we should have to give it up, and that the people would go; and in the meantime we should have wasted much money and retarded the only means of relieving the distress of the country—namely, by sending away the surplus population to a country where they would be able to live and be happy, instead of staying at home and starving. There is one other topic, and only one, to which I wish to allude. No doubt the miseries of the present state of things in Ireland would have been considerably lightened if Ireland had had those manufactures and those great works of different kinds which exist in England, and which form so convenient a refuge in times of agricultural distress. But to have these Ireland must have capital. That capital she has not in sufficient abundance at the present time, but it abounds in England beyond all measure. In Australia we were deluged with English capital. It became a nuisance. The superfluity of English capital fostered a spirit of foolish and disgraceful speculation. Half-a-dozen banks were set up, which, owing to the keenness of competition, lent money to disreputable persons, who were only too willing to take the money thus forced upon them, and who failed and paid little or nothing. Yet here is Ireland, only divided from us by an arm of the sea, hungering and thirsting for want of money, and capital will not go there. Well, Sir, hon. Gentlemen may be very eloquent, but capital cannot be cajoled. They may menace, but capital cannot be coerced. She is a very coy, discreet, and retiring nymph. She flings herself into the arms of the industrious citizen, but she shuns the embrace of the fiery and brilliant agitator. In this case Ireland must minister unto herself. It is the fault of the Irish nation that those who have the disposal of English capital do not feel secure in investing it in Ireland. It is for those who can influence Irish opinion to remedy this state of things. When this is done one great means of amelioration will be open to her. I thank the House sincerely for the attention with which it has listened to me. It is impossible to exaggerate the importance of this subject. Time may have been when Irish subjects were treated with indifference; but to me this is the question of questions for this Empire. Our foreign policy, owing to late events, has somewhat receded into the background. As to our domestic policy, we are so happily situated in this country that we can hardly get up a point of first-rate importance upon which we have any serious difference. But as to Ireland it is different. She is bound to us by an indissoluble tie. She is not like the colonies, in whose welfare and advancement we may feel pride, satisfaction, and interest, but whom, after all, we merely regard as young nations whom we are training to take their own course in the world, and to separate from the parent connection, rather than as integral and perpetual parts of the Empire. It is not so with Ireland. For good or evil, for better or for worse, she is bound to us by a tie which we would perish rather than allow any one to break. That being so, how unspeakably important will it be if any thing can be devised by our efforts of conciliation to place her in a position something like that occupied by Scotland! The increase of the force of the Empire, our dignity abroad, our self-respect at home, and our influence in all quarters of the globe—no one can tell the augmentation they would receive from such a happy change. She is the only single drop of bitterness in the cup of our otherwise over-flowing prosperity. It is for us to see whether there are no means possible by which we can alleviate the state of Ireland—not by attempting to arrest the present exodus—but by avoiding in this House all topics calculated to irritate and excite the feelings, by expressing our sincere wishes for her welfare, and by trying to heal the wounds of centuries of misgovernment.

MR. O'REILLY said, he had heard with surprise one reputed so great an economic authority as the right hon. Member for Calne enunciating the most common-place and palpable fallacies on the subject of Ireland. The right hon. Gentleman said he sat upon the Committee of last year upon the taxation of Ireland, and he had argued that one country could not be more heavily taxed than the other, seeing that the taxes paid by the two countries were identical. The right hon. Gentleman, however, forgot that the far greater part of the taxation of these countries being indirect, it necessarily pressed more heavily upon the poorer country. The right hon. Gentleman also said that there was no tax whatever upon the raw material of manufactures in Ireland, but he forgot that the raw material was taxed upon one of the principal among her few manufactures—paper—not by the legislation of this but of other countries. The right hon. Gentleman added that the Irish tenants had no capital to invest; but "labour," as the right hon. Gentleman would find in any hand book of political economy, was one of the principal elements of capital, and they were ready to invest in abundance their capital, which was their labour, in the improvement of the soil. The right hon. Gentleman had pointed out how the Corn Laws had factitiously fostered the cultivation of cereal crops, and he jumped to a fallacy in regard to agriculture. He seemed to think there was no medium between the cultivation of cereal crops and turning the whole country into pasture land. But the whole course of agriculture was tending, not to the cultivation of cereal crops exclusively or the turning of land into pasture, but to the cultivation of roots and grain suitable for the raising of cattle and stock. To preach to the whole people of Ireland that the necessary destiny of their country was that it should be turned into pasture was reversing the whole science of agriculture. Cereal crops alone would not pay. There was where the mistake of the Irish people lay; but it would be quite as great a mistake to adopt pasture exclusively. The right hon. Gentleman said that there was one species of taxation which pressed heavily upon Ireland—the voluntary taxation of the people for the support of the Catholic clergy, and he contrasted it with the enforced taxation for the Church of the minority. The serious mischief, however, was not in the voluntary, but in the involuntary taxation—the one was borne cheerfully, the other was a monstrous grievance. But the remedy was not to be found in pensioning the Catholic clergy; neither themselves nor their flocks desired it. What they wished was a fair field and no favour, to take away the Establishment, and to leave every one to support his own clergy. If, as they were told, nine-tenths of the wealth of the whole country was in the hands of the Protestants, the less reason had they to shrink from the support of their Church, when the great majority of the people out of their poverty freely supported their own pastors. The hon. and learned Member for Sheffield (Mr. Roebuck) held up one topic to admiration, if not imitation, and clothed it in the roseate hues of his own brilliant imagination, and that was the conduct of the right hon. Gentleman the Secretary for Ireland, who was his model man. But he (Mr. O'Reilly) could not help thinking, when the hon. and learned Gentleman spoke of the "kind heart and generous hand" which the right hon. Baronet brought to Ireland, that one of the first of his acts—an act which had excited so much obloquy that the right hon. Gentleman would live long should he survive it—was his persevering, and, unhappily, but too successful effort to persuade the people of England that there was no distress in the sister island, when there was in reality grievous misery. The right hon. Baronet was, unfortunately, but too successful in arresting the tide of charity which would otherwise have flown from England for the relief of Irish distress. The hon. and learned Member then turned to his store of dark colours, and none were too black when he wanted to paint the Roman Catholic clergy of Ireland. He told the House that one had but to scratch the priest to find the peasant. If by that the hon. Gentleman meant that the priests were of the people, and sympathized with them in their joys and sorrows, he (Mr. O'Reilly) would have readily accepted the statement. But the hon. Gentleman described them as peasants in ignorant bigotry, in rancour, and ill-will; and from that character he (Mr. O'Reilly) confidently appealed to history for their vindication. It was written in history that when oppression produced insurrection in 1798, the Roman Catholic hierarchy and clergy were mainly instrumental in checking the movement and limiting its extent; and in 1848, when the spirit of insurrection again rose, it was well known that every bishop in Ireland, and almost every priest, resolutely opposed it, and if blood was then shed but by drops it was due to the active exertions of the Catholic clergy. He challenged the hon. Member to produce anything from the public writings or speeches of the Catholic bishops or clergy for the last twenty years, with which he (Mr. O'Reilly) was well acquainted, which would show that they were either disloyal themselves or encouraged disloyalty or revolution in others. There was not a single exception among the bishops, there were hardly three exceptions among the priests, and of these it had been remarked that one who had made himself remarkable for his sympathy with such movements had ceased to exercise his ministry in Ireland. The hon. and learned Member for Sheffield might recollect when he undertook to preach his new gospel of peace that the best way to propagate his message among six millions of Roman Catholics was surely not the indiscriminate abuse and detraction of their clergy. He felt confident that this was not the sentiment of Englishmen generally. He had no wish to attribute to England any desire during the period that had transpired since the Emancipation Act to do otherwise than to place Ireland on a footing of equality with England. Such a position the Irish nation would accept, but not an inferior one; and they did not consider that they were placed in that equal position when they found in their midst the church of an infinitesimal minority in point of numbers supported by Parliament against the wishes of the whole community.

The LORD ADVOCATE said, he had listened to the debate with the greatest possible interest, and if he ventured to present himself to the House, it was not only because of the importance of the subject to all parts of the kingdom, but because there had always been in Scotland a very kindly and warm feeling of interest towards Ireland. There was a great deal in common between the two countries, and Scotland was by no means so deeply responsible for the misgovernment of Ireland as the sister kingdom, because many of the evils of Ireland were at an end before Scotland was united to England. There were many circumstances, too, in the position of Scotland, analogous to those of Ireland. Scotland had a climate almost exactly similar, and she had a large Celtic population, which in descent, in language, in manners, and in general tendencies, were very similar to their brethren in Ireland. For all these reasons, it had occurred to him at this stage of the debate to throw out a few suggestions. There was one thing which struck him very forcibly in this debate, and that was the unanimity, or almost unanimity, with which the Irish Members had described the existing state of Ireland; and unquestionably no one could listen to that description unmoved. He would not enter into the question whether the opinion of his right hon. Friend the Chief Secretary as to the returning prosperity of Ireland was well founded in statistics or not. The two things were perfectly consistent. There might be a return of general prosperity, accompanied with a great deal of local distress. He did not intend, however, to enter upon that subject at all. His object was, assuming the distress, to see where a remedy was to be found, and how far it might lie in the direction which had been pointed out. The second thing which struck him in the debate was the utter inadequacy of the causes to which the distress was attributed, and of the remedies which were suggested to meet that distress. In the first place, it was said that Ireland was in distress because capital which ought to be applied to agriculture was withdrawn by unreasonable taxation, and, in the next place, that the Government did not do its duty by undertaking large works in Ireland, and paying well for them. It occurred to him to ask how Scotland stood in these respects. He was not there to make any complaint on the part of that country—the Scotch did not want Government money, nor did they complain of the taxation. But how did Scotland, a smaller country than Ireland, with a population of 3,000,000 against 5,000,000, with a soil inferior to that of Ireland, and which had had to struggle by itself for many years, and had not struggled without success, stand with respect to taxation and the expenditure of public money in the country? The taxation of Scotland yielded in round numbers about £5,250,000, the taxation of Ireland £4,007,000. The result of which was—if that was a correct way of stating the matter—that a much greater amount of capital in proportion to the population was withdrawn from Scotland than from Ireland. The land valuation of Scotland amounted to about £14,000,000; the land valuation of Ireland was £12,000,000; from which it followed that land in Scotland was more valuable than land in Ireland. But how had it become so? Simply by dint of the labour of the people, for Ireland had originally a more fertile soil. And what was the proportion of taxation returned to Scotland out of the £5,250,000 she paid, compared with Ireland? Taking the sums from the Civil Service Estimates, which afforded only an approximation, but a pretty accurate approximation, Scotland received back about £400,000, and Ireland more than £1,600,000 a year. He did not complain even that Ireland received a part of the produce of the Scottish taxation, and he was sure he was doing no injustice to the general feeling of the people of Scotland when he said that if the ills and evils and miseries of that country could be cured by the application of public money few of his countrymen would grudge it to her; but he had quoted these figures to show that the cause of the evils of Ireland could not be that so much capital was subtracted from the country by taxation, because so much more was drawn from what was naturally a poorer country, and at the same time Ireland received from the national treasury four times as much as Scotland did. There must be some other reason for the distress which was complained of. It had been suggested that public works should be undertaken by the Government. He was not aware that Scotland had derived much benefit from works of that kind. The reference to the Caledonian Canal had been disposed of by his right hon. Friend the Chancellor of the Exchequer. No one could pretend that the prosperity of Scotland was due to the Caledonian Canal; and, although the Highland roads were useful to the parts of the country through which they passed, it would be idle to refer to them as having contributed to the general good of Scotland. Scotland had flourished from no reason but this—that she had trusted to her own resources. He admitted that she had had a happier history than Ireland; that she had not had to struggle against the injustice and oppression which had been practised on the sister kingdom; and if we were now reaping, and perhaps undeservedly reaping, the fruits of what our forefathers sowed in Ireland, it was only the natural and very common result of long years of misrule and injustice. But, as to public works—did any man imagine that a subsidy to drain the Shannon, or for arterial drainage in Ireland, would stop the tide of emigration? Did any one imagine that the cause of the real evils of Ireland did not lie deeper than that? Until the people of Ireland acquired a spirit of real self-reliance all such dandling and fondling of the country would cause positive injury. You might employ a few hundreds or even a few thousands of people for a time; but if you attempted to counteract social and economic laws—which, as his right hon. Friend had said, were as certain in their operation as the laws of nature—if you attempted to counteract those laws by artificial means, the evil was only increased; it might be put off for a time, but it was only the more certain to arrive, because a remedy was supposed to have been found for it. In the relations of landlord and tenant, many important principles were undoubtedly involved; but the representatives of Ireland themselves were not agreed upon that question; and he did not think that it was fair to charge upon England and Scotland all the difficulties which beset the settlement of that question. Surely it was not reasonable to attribute the feelings towards this country which the Hon. Member for Clonmel (Mr. Bagwell) had, he hoped not quite accurately, ascribed to the Irish people, either to the tenant-right or to the Irish Church. The question of tenant-right was one which was much debated among Irish Members and the Irish people themselves, and he knew of no proposition for its settlement which had been obstructed by England or Scotland. As to the Irish Church he would say nothing, except to express his regret that in a debate upon the grievances of Ireland so little prominence should in some of the speeches have been given to that subject. It would have been satisfactory if the hon. Gentleman who opened the discussion had asked the noble Lord the Member for Stamford what was his opinion upon the subject of the Irish Church. The House would probably have received some important light upon the subject from the answer which would have been returned. But when he heard it said that there was in Ireland, for reasons which had been stated, a strong feeling against this country and against the present Government, he could not but remember what had been the history of Ireland and the history of party during the last thirty years. Hon. Gentlemen said that the Irish looked upon the Liberal party and Liberal Governments as those to whom their evils were attributable. That was a statement which he could not entirely credit. Did they forget who maintained the cause of Ireland in its darkest hour? As far back as 1806 the Whigs, under Fox, had to leave office on the Catholic question alone; and for thirty years their views on that question had excluded them from power. After that came the triumph; but were the old defenders of true principles to be forgetten simply because the victory had been gained? From that time, as the hon. Gentleman who spoke last had candidly confessed, the rulers of this country had constantly striven to find out how to govern Ireland justly. If they had gone wrong it had been from no want of good will, but owing to the difficulties of the position. And if the Irish Church was a grievance that pressed upon the people, he was old enough to recollect the Appropriation Clause, and the questions that arose at that time. He knew who were the friends of the Irish Church on that occasion, and who wished if they could to remove the grievance which then existed. He had made these observations because in Scotland there was nothing which the Liberal party had more at heart than the amelioration and benefit of Ireland. When he first began to think about politics, the question of Catholic Emancipation was exciting the deepest interest among the Liberal party in Scotland, and even difference of religion made little difference among them upon the subject. He remembered a meeting which was held in 1829, in the proceedings of which both Dr. Chalmers and another of the most celebrated divines of the Scotch Church took part, and Dr. Chalmers delivered a glowing oration in favour of Emancipation. It was a little hard that, because evil times had come upon Ireland — because famine had afflicted her, and the fruits of the earth had not prospered — these things should be forgotten. He did not believe that they were forgotten. The Irish were a grateful and a generous people, and he was certain that their hearts were too true to allow such things to pass out of their minds. He would only say one word more on the subject of emigration. A gallant Gentleman opposite (Colonel Dunne) said that few people would be heard to say that they did not regret the emigration from Ireland. He would speak plainly and would say he did not think that emigration was a thing to be regretted, from whatever part of the country it might take place. The population of the West Highlands, a cognate race, labouring under similar evils to those complained of by the Irish people, had emigrated in large numbers; but he did not regret emigration there. When education was introduced into those districts and a man became able to speak English fluently, be emigrated to the Lowlands, at all events, and frequently to the colonies. No doubt the sentiment was a sad one. It was sad to see old ties and old associations broken up; but in these cases emigration was to be regarded as the operation of a social and economic law which in itself was beneficial. Instead of deploring, we should rejoice when an outlet was afforded for an overflowing population whose means of subsistence had diminished at home. The descendants of old Highland families and the names of Chieftains were to be found in Canada; but in the result was it not better for themselves and their retainers? At the time of the discovery of the goldfields in California and Australia considerable danger was apprehended from the overflow of our large towns, where labour was becoming too plentiful. But the danger was removed by the outlet thus created, and our population was now reduced to a number that was able to obtain remunerative wages. Instead of regretting further emigration from Ireland the friends of that country might rest assured that it would regulate itself —they might be certain that emigration was not a thing to be regulated by legislation, and was quite beyond the control of this House, and that it was not desirable that the House should attempt to control it. It would equalize itself, and it might be that increased enterprise and energy on the part of the Irish people might bring about a period of prosperity in Ireland making it better to stay in that country than to go away. As long as it was better to go the people would go, and would not stay. It might be that increased energy and enterprise in Ireland would one day make it better for men to stay there than to leave the country. Until that was so, however, Irishmen would continue to find a new field for their labour. With regard to the Resolution, he did not think it wise to express regret in the abstract at the existence of emigration; and, in the next place, a grant of public money was so infinitesimal in its effect upon the well-being of Ireland that it was not fitting for this House to put it in the foreground, as though it could be a remedy for evils which lay much deeper, and which could only be remedied by the display of energy and intelligence on the part of the Irish people.

Mr. M'MAHON said, it would be a source of sorrow and dissatisfaction to the people of Ireland that all the hon. Gentlemen who had addressed the House on the Ministerial side seemed not to regret the drain of the Irish people. The learned Lord Advocate, judging by the tenor of his speech, ought to have moved as an Amendment, "That this House rejoices at the departure of the Irish people from Ireland." It seemed to be assumed that emigration there was the necessary result of existing economic laws which could not be altered by legislation. But he (Mr. M'Mahon) apprehended that the present miserable condition of the Irish people arose from a direct interference with and violation of the well-known rules of political economy, and was directly attributable to the Government of the country. The people of Ireland possessed a fine soil, the source of all wealth; and if they had only the liberty to till it for their own benefit, they would be a wealthy people, and need not come to that House with the whine of mendicants, as the hon. and learned Member for Sheffield had expressed it. But they were not allowed to accumulate in their own country the results of their own energy. How could a country prosper when £4,000,000 a year went in absentee rents, and £8,000,000 were taken away in taxes, without the slightest return excepting in stamp receipts? It was impossible that a country could thrive while such a system continued, and it was therefore the duty of the Government to see if something could not be done to amend such a system. He did not think that anything could be done by means of grants for public works. He did not want any violation of economical laws in Ireland. The Irish did not want any help to stimulate their industry; they only required to be let alone; although where the Government had done injury, as it had done through the Irish Board of Works in the case of raising the level of the Shannon, it was but fair that that injury should be redressed. But the whole course of recent legislation had been adverse to the country. Ireland was essentially an agricultural, while England was a manufacturing country. And what had been the course of legislation? Since 1842 taxes had been remitted upon the manufactures of England to the extent of £25,000,000 or £30,000,000. But during the same period laws had been passed against the staple products of Ireland. Thus, instead of reducing the spirit duties, they had been largely increased since 1842, and the result was that in those parts of Ireland where oats and barley used to be grown large tracts of land were now turned into pasture, the result of which was that the land went back almost into a state of nature. It might be supposed that as there was now more grass land, more sheep and cattle were maintained in Ireland than used to be produced there. But the fact was, that a smaller number were actually reared. Would it not be right to inquire into the operation of the spirit duties? Might they not fairly expect the Chancellor of the Exchequer to apply his surplus in part to the reduction of those duties? He did not want exceptional legislation in this matter, for he thought the laws of the two countries should be identical. The malt-tax was another burden that the Legislature should remove from Ireland. In the county he represented (Wexford) the hardship of that tax was deeply felt. The abolition or reduction of that tax would act as a strong stimulant to Irish farmers to grow barley, instead of allowing their land to degenerate into pasture. He held in his hand a letter from a Mr. Rowley, a person eminently qualified to give an opinion upon this point, in which he stated that, having been in treaty for a farm in Ireland, he gave up the idea of taking it in consequence of the conviction that, with free importation and with the malt-tax, agriculture could not be carried on in Ireland; and that unless the malt-tax were repealed the land would be put out of cultivation. In that opinion he (Mr. M'Mahon) entirely concurred, and he felt sure if that tax were repealed, the idea that for thirty years had been prevalent as to Ireland being suitable for a pastoral and not for an agricultural country would be proved to be erroneous. At any rate they could not say so until they had allowed the country fair play. Another matter he felt bound to advert to was that in 1830, the cultivation of tobacco in Ireland produced £60 or £70 per acre, until political economists, not content with such prosperity, found it desirable to pass an Act of Parliament in the 1st of William IV., prohibiting that cultivation. It was said, that the prohibition did no harm, as the tobacco grown in Ireland could not compete with the foreign produce. Even if that were so, why was not a mere Excise duty laid upon the Irish tobacco, which could then have been left to take its chance according to its quality? The cultivation was totally stopped, and the growers received compensation for the one year's crops only, but nothing for the loss they sustained in consequence of being deprived of such a remunerative mode of cultivating their land. If they repealed that enactment it would, at any rate, look something like a return to economic laws. Again, until 1833, the Irish farmer could manufacture sugar from beet-root free from duty; but, now the Irish farmer must sell his grain in competition with all the world, but he was not allowed to compete with anybody in making beet-root sugar. The Frenchman, Prussian, Russian, and American, could make their own sugar, whilst the English and Irish farmers could not turn their land to that cultivation. In 1833 Parliament imposed a duty upon the manufacture of beet-root sugar; but the manufacture increased, until, in 1853, as much as £1,500 duty was paid in one place. In that year, however, the tax was increased to the amount of the duty upon foreign sugar, and the whole manufacture was ruined. The tax, however, was not so heavy upon the foreigner as upon the grower at home, because the foreigner paid duty only upon the sugar he sent here, while the Irishman paid upon every pound he made. He maintained it to be the duty of Government to reconsider these laws which had so largely contributed towards changing Ireland into a pastoral country. How was it that in that House, where the landed interest was paramount, so little attention was paid to land, and that the only persons thought of were the traders and the manufacturers to the exclusion of the farmers? It was in the interest of the traders and the manufacturers that ships were employed on distant shores to force commerce upon unwilling nations, and that colonies were founded. There was a Board of Trade to look after the commercial interest—why should there not be a Board of Agriculture to look after the farmer's interest? Did the right hon. and hon. Gentlemen who had spoken on the Ministerial side of the House believe that the Irish people would remain in Ireland if they were to believe that England could do nothing to improve their present condition? The result of our legislation had been already to reduce the population of Ireland in fifteen years from 8,000,000 to a little above 5,500,000; and if Ireland were to become a pastoral country 4,000,000 more of her people would have to leave, for 1,500,000 would be sufficient for pastoral purposes. If the American war were to terminate, he saw nothing to prevent emigration increasing at such a rate that in ten years the island would be entirely depopulated. He did not think such a result would be desirable, even for the pecuniary interest of this country, and far less for its honour. England required men for her armies—where could she get them so cheap or so good as in Ireland? During the Crimean war we had felt the difficulty of procuring men without raising the rate of wages in the manufacturing districts. But he had said two or three times already, and he had been censured for so saying, that it was impossible to have peace and contentment in Ireland until the Established Church was got rid of. The Lord Advocate had cited Scotland as a contrast to Ireland; but Scotland had not the disaster of having the Church of the minority dominant. The Scotchman, after making his money abroad, could return to his country without being subjected to the disadvantage of having the Church of the minority over him. Protestant ascendancy met a Catholic at every step in Ireland, and that prevented Catholics who had made fortunes elsewhere from going home to spend their money in their own country. He believed that a great deal of mischief arose from having a distinct Administration in Ireland, and that if the Lord Lieutenancy were abolished, and Ireland governed as England was, a great improvement would be effected in that country. The separate system of government was an evil of considerable magnitude. He hoped that the House would not refuse to adopt that part of the Resolution of the hon. Member for the King's County which expressed regret for the great decrease in the population of Ireland. When an Irish question was under consideration the Liberal English Members very seldom voted rightly—they always voted with the Ministry, and never afforded any assistance to Ireland—and this accounted for the reluctance of Irish Members to assist the English Liberals to the extent they otherwise would assist them. As so many English Liberals had already spoken against Ireland during this debate, he hoped matters would be relieved by a number of English Members voting for the Resolution before the House.

Mr. DUNLOP said, the hon. and learned Gentleman who had just sat down (Mr. M'Mahon) in comparing Ireland with Scotland had said that Scotland had this advantage over Ireland, that in Scotland the Established Church was not the Church of the minority. In this he was quite mistaken—it was the Church of the minority though not to so preposterous an extent as in Ireland. He would take the opportunity of confirming the statement of his right hon. and learned Friend the Lord Advocate that there had always been, as there ought to be, a very kindly feeling on the part of Scotchmen towards Ireland. Scotland and Ireland, in many respects, stood in a similar position towards England, and Scotchmen had always shown themselves anxious to assist in the amelioration of Ireland. Shortly after he entered Parliament he sat for three months on a Committee which was engaged in considering Irish Landlord and Tenant Bills, and since that time he had taken a deep and hearty interest in Irish questions; but he could not go with the Irish Members in pressing the Government for postal subsidies and such like objects He thought that the Irish people might take a lesson from the position Scotland now held, as compared with Ireland, which might do them a service. If they would look at Scotland closely, they would see that the two countries stood very much on the same footing. The climate of Scotland was not so good as that of Ireland; the land of the former was poorer than that of the latter; the natural harbours and the rivers of Ireland were superior to those of Scotland. Ireland had her Parliament taken from her; Scotland had lost her Parliament also, and she had also the Court of the Sovereign taken from her; so that Scotland had all these causes of absenteeism in quite as great strength as they existed in Ireland. How was it, then, that Scotland was prosperous in manufactures and commerce, and resident gentry? How was it that not only the Scotch proprietors were not weaned away from their country, and had their homes and establishments there, looked after their people and encouraged their manufactures; but that English noblemen bought estates in Scotland and spent part of their time and part of their wealth there? How was it that these marked contrasts occurred? He did not mean to go back to days long past and enter at length into the original causes of the different state of circumstances that existed in the two countries as compared with each other. Were he to go back so far, he would in one sentence state two causes. He would say it was because Ireland had no Bannockburn and Scotland had no priests. But coming to the present time, he would endeavour to account for the difference by two reasons. In his opinion, the first cause of the difference was, that the Scotch were a quiet, orderly, peaceable people, among whom men dwelt in safety, among whom Englishmen or Irishmen might bring their capital with a consciousness of perfect security; but though he was happy to hear that crime in Ireland was diminishing, still it took a long period of settled order to create confidence, and things had been done there within the last half-year which were not calculated to encourage men to invest their capital or take up their residence in that country. The other and more important cause was that the Irish as yet had not learnt to stand upon their own legs—to trust to themselves, and not to lean on the Government, not to think that everything is to be done by an advance of Government money. The Scotch did not come to Parliament for postal subsidies, for a *regium donum*, for Royal dockyards, for improved drainage. They trusted to themselves for these things. Along the Clyde there was town after town—Greenock, the third port in the kingdom in point of Customs revenue, and Glasgow among the number, all full of manufactories and shipbuilding yards, and none of them owing their prosperity to Government grants. That river now bore vessels of 1,000 tons, coming from the East and West Indies and all parts of the world; and yet, at the end of last century, only one-masted lighters, drawing two feet of water, were able to get up it. How had the deepening of the river been effected? Not by grants of public money, but entirely by the energies and exertions of the inhabitants and merchants of Glasgow and other towns in the locality. To allow these Motions, which were brought forward to induce the Government to sanction the grant of public money, to be successful would really encourage the very disease—the moral disability—which it was desirable to cure. What was wanted was to make Irishmen stand on their legs, and every speech calling for Government aid, every laudation of Lord Lieutenant Eglinton merely for encouraging a wretched affair which brought many to ruin without doing good to one human being had no other effect but to encourage the mischievous leaning on others which was the bane of Irishmen. If they could only be weaned from a reliance on the central Government, he had no doubt Ireland would become as prosperous as Scotland, which had relied only on her own energies. The hon. Member for the county of Galway (Mr. Gregory) seemed to threaten the Liberal party with total desertion by the Roman Catholic Members; but, for his part, he should not be sorry to see all those Members sitting on the Opposition side of the House. He thought that the Government had been led, by the desire to get their votes, to do many things which it ought not to have done, and the best cry for the Government in a new election would be an appeal to the English and Scotch constituencies to shield them from a dependance on the representatives of the Irish priesthood, whose views of foreign and domestic policy were irreconcilable with those of the Liberals of Great Britain. He should look with greater confidence to the future prosperity of Ireland if the people there only adopted a more healthy tone than some of their representatives, and trusted entirely to their own exertions.

Mr. LEFROY, while he congratulated the hon. Member for the King's County on the tone of moderation in which he had brought this subject forward, and on the great amount of information which he had brought to bear upon it, regretted that he could not give his vote in favour of the Motion. He should not follow the hon. Gentleman who had introduced the question of the Established Church into the debate. Were it necessary to drag that subject before the House, it would not be difficult to show that Ireland would receive little benefit if she were deprived of the residence there of the bishops and clergy of that Church. That he believed was the opinion of the great mass of the Irish people. But, following the example of other hon. Members, he would avoid anything which might introduce religious animosity and bad feeling into the debate. The Motion might be divided into two parts. The first was that in which the House was asked to express its regret at the decline of the population in Ireland. Now, there was no one who would not regard with regret the decline of the population under general circumstances; but, if he (Mr. Lefroy) were asked to vote for the proposition that, under the present circumstances of Ireland, he was to regret the diminution of the population, he must confess that he could not conscientiously support it. He was of opinion that the great distress in Ireland was caused by the humidity of the climate, and that it was better to coincide with the ordering of Providence than to seek to quarrel with His wise purposes. He (Mr. Lefroy) rejoiced that those who could not support themselves at home were going abroad, where they could work for themselves and families, and send assistance to those they had left behind. This second part of the proposition required explanation. The House was asked "to support Her Majesty's Government in any well devised measure to stimulate the profitable employment of the people." He considered that expression, "to stimulate," a most unfortunate one, for it must mean that the people were to depend on Government aid. He (Mr. Lefroy) did not think that the welfare of Ireland was to be promoted by assistance given in that way. He had seen aid lavishly given to it in the time of famine, but there were evil consequences which followed that he did not wish to have repeated. Another subject, as yet untouched, was in respect to the Irish railways. He knew nothing more important than that the railways should be in some way under the control of Government, so that they might be managed with safety and at diminished expense, and that the people should be encouraged to send their cattle to market by railway. These were subjects of importance for the consideration of the Government; and he was glad, and he rejoiced, that in this temperate debate a desire had been universally expressed that every matter which might be advantageous to Ireland should be brought under the consideration of Government. As to the distress, said to be existing in Ireland, he could not admit that this last year there had been a wonderful or considerable decrease in the prosperity of Ireland. He had been in Longford, and Sligo, and Leitrim, and Louth, and other counties, and he had not heard in any of those counties of any great distress. As soon as he knew that this debate was to come on he wrote to several of the principal agents in those counties, and he had their authority for saying that the crops last harvest were much better, and that the great excellence of the crop of potatoes was quite sufficient to set the people altogether free from apprehension of famine. The cause of the large emigration from Ireland had been attributed to the cruelty of the landlords. By way of answer to this, he must ask permission to read an extract from a letter from an Irish land agent on the subject:—

> "I can instance large estates, under the most popular landlords, from which there has been as much emigration as from any other estates in Ireland. There are few landlords in Ireland that bear a higher character for kindness and liberality to their tenants than Lord Palmerston. He gives large employment on his extensive estates in Sligo. He expends large sums every year in the improvement of his property and in the improvement of the dwellings and homesteads of his tenants. He scarcely ever turns out a tenant—indeed, I may well say he carries this rule, if possible, to a fault; and yet we have every year a large number of tenants emigrating, and leaving the property, and seeking to improve their prosperity in other lands. I feel confident, therefore, that harsh conduct on the part of landlords is no cause why so many people leave this country."

He (Mr. Lefroy) could not support the Motion; but as the Government had heard that there were certain circumstances under which relief might be given to the distress of the country, it would be well if the noble Lord (Viscount Palmerston) would take into consideration what the Committee of last year had recommended to the Government at the end of the Session, in order that it might be ascertained whether something could not be done beneficial to Ireland altogether different from the charity bestowed in former years.

MR. POLLARD-URQUHART thought that a tone of too great despondency had been indulged in in that debate, as if the evils under which Ireland was suffering were permanent rather than temporary. The famine, indeed, spoke for itself, but the present distress was owing, in his opinion, to a concatenation of adverse or difficult circumstances, among the first of which was the enormous and profligate Imperial expenditure occurring during a succession of bad harvests. Next he was bound to say was to be included the unfortunate and impolitic legislation of the Chancellor of the Exchequer in regard to the spirit duties. Contrary to our general fiscal policy, pursued since 1842, the right hon. Gentleman had, instead of substituting direct for indirect taxation, increased both direct and indirect taxation in Ireland, and the result had been the destruction of one of the few branches of manufacture carried on in that country—distillation. Still he believed that the late evils were not greater than those which occurred in what had been referred to as the palmy days of protection and Irish prosperity. The hon. Member proceeded to quote passages from the Reports of Sir J. Newport's Committee of 1819, where reference is made to "numerous bodies who, pressed by want and seeking relief, have fatally contributed to the diffusion of disease;" of Lord Monteagle's Committee of 1823, in which the condition of the people is described to be "wretched and calamitous in the highest degree;" and from the evidence before the Committee of 1830 of Dr. Doyle, who said it would be impossible for language to convey an idea of the state of distress to which the ejected tenantry have been reduced, or of the disease, misery, and even vice which they have propagated in the towns, from Mr. Carlyle's latter days pamphlets; and the Address issued by the Irish agent of the brother-in-law of the noble Lord the Member for North Leicestershire (Lord John Manners); and what he had heard from Mr. Stewart, who managed large estates in various parts of Ireland, stating that rents in various places were higher than they were twenty years ago; and this, he urged, was adverse to an impression that Ireland was altogether in a declining condition. He sincerely hoped that the noble Lord the Member for North Leicestershire would impress these facts upon his friends who maintained that the repeal of the Corn Laws had ruined Ireland. As to the taxes in Ireland, there was no doubt that when the poor rates were very high—as high as 3*s.* in the pound, as was the case some years back, contemporaneously with an income tax of 16*d.* in the pound, the pressure was severely felt—especially by the clergy of the Established Church, and their case ought to have the consideration of the Government. He did not deny the existence of severe distress. The hon. Member for the King's County had suggested one remedy for that distress to which he could not agree, and that was public works.

He was quite certain that the public works of 1846 and 1847 did a great deal of mischief, inducing the people to believe that work must be provided for them. The failure of that system had discouraged a great many landlords since from improving their estates, and he hoped the experiment would not be tried again. Another objection to public works was that the money must be raised by additional taxation or withdrawn from industry and enterprise of different kinds. Now, if Government did anything to cripple industry and enterprise great numbers of people who were now earning their livelihood in England would be sent back to their parishes, and their last state would be worse than their first. But, on the whole, he did not think that Government had done all that they might have done. Lord Aberdeen's Bill of 1853 would have stopped a great deal of distress. Or if they were unable to carry that, an extension of the compensating period of Mr. Cardwell's Bill of 1860 would have been most beneficial. One of the best remedies that could be applied to Ireland would be a return to the Estimates of 1853, and if Irish Members would unite and put the screw on the Chancellor of the Exchequer perhaps he would not refuse them some remedy of that kind.

SIR HERVEY BRUCE regretted that he could not support the Resolution of the hon. Member for the King's County, because, instead of deploring the causes which led to emigration, the Resolution deplored the emigration itself. Now he (Sir Hervey Bruce) could not deplore it when it was taking his suffering and poverty-stricken countrymen to places where they could not only procure comfort but affluence. He had been much pleased with the remarks of some of the English and Scotch Members who had taken part in the debate, and who had shown a lively interest in the affairs of Ireland, but it certainly was amusing to hear the remarks of some hon. Gentlemen who, after a tour of a week or a fortnight in Ireland, came down to lecture Irish Members who were probably equal to them in intellect—certainly equal to them in the interest which they took in Irish matters—and far superior to them in the experience of what was beneficial to their country. An amusing instance of that kind of teaching was given, when they were told that the Irish were a debased and mutilated people. He denied that they were; but if they had been debased what tended to cause it? The manner in which England procured the Union, and old English laws prohibiting trade in Ireland. The conciliatory speech of the hon. and learned Member for Sheffield had received a sufficient answer. The right hon. Member for Calne (Mr. Lowe) who, in his calm and measured tones, told the House that he was going to introduce nothing of an irritating nature, said, the only remedial measures for Ireland were the destruction of the Irish Church and the abolition of the Lord Lieutenancy. The hon. Gentleman also said that capital was coy and difficult to find, and that yet it had been showered on disreputable people in some of our colonies. But he thought the right hon. Gentleman was in error, because he understood that the banks of the country inhabited by these disreputable people were paying 20 per cent. But these observations were of secondary importance to those of the Chancellor of the Exchequer, who gave his reasons for not supporting the Motion. Firstly, the objection was that the Resolution had only been a short time before the House, and there was force then in that objection. An objection, however, which almost led Irish Members to suppose he was about to consider their claims. But then came the objection that the adoption of the Resolution would lead the Irish people to think that the Government was going to do everything for them. The right hon. Gentleman further laid down the broad proposition that any exemption from taxation was of necessity a gift, unless there were countervailing circumstances. Now, were there no countervailing circumstances with regard to Ireland to bring her under the favourable consideration of the Imperial Government? It had been stated that Ireland bore the same position to the Imperial Government that Scotland did; but this he denied, because between Ireland there was a sea as turbulent in its ways as Irishmen themselves were reported to be, while no such element existed between England and Scotland. The gentry of Scotland, too, possessed many more inducements to spend their money nearer home than did the Irish. He did not purpose to defend absenteeism, but it could not be denied that many Irish gentlemen who visited London found superior attractions in that city to those which their native country could hold out to them. When the noble Lord the Member for

Stamford (Lord Robert Cecil) alluded to the fact that trade and commerce had been repressed in Ireland, he could perceive that the Government sneered at the statement, but it was nevertheless true. No one would deny that in olden times trade and commerce were advisedly repressed by the laws of England. What was the opinion of the hon. Member for the West Riding of Yorkshire (Sir Francis Crossley), no mean authority on that subject? That hon. Gentleman said he could not agree in the opinion that manufactures could be disseminated throughout Ireland — that they were of slow growth, and took a long time to establish—that they were concentrated in the north of England, and had also taken root in the north of Ireland. He was afraid that was not the case. Great stress had been laid on the cultivation of flax, and the noble Lord the Member for Leicestershire (Lord John Manners) had advised his constituents to cultivate that article. But its growth was a most precarious thing. It would not suit large farmers until the difficulty of working it was removed, and was only suitable for small farmers. It could never become a source of wealth to the country, even though the scarcity of cotton ought to have that effect. He had no doubt that he should be told that the Irish were not taxed for their police. That this was the case he granted, but it should also be borne in mind that the Irish police did not at all resemble the body employed in England under that name. The so-called police force of Ireland, though undoubtedly a body of very fine men, was nothing more or less than an army of occupation, and if England thought it right to send an army of occupation she ought not certainly to call upon the people to contribute to its support out of the local taxation. Now, what did Ireland pay that was not paid in England? The Irish paid a much heavier sum out of their local rates than the boasted assessed taxes of England could produce in Ireland, for they paid one-half the charge for medical officers in the unions out of the rates, and also for schoolmasters and mistresses. In England these charges were paid out of the Consolidated Fund. The Chancellor of the Exchequer had made one statement which he could not understand. The right hon. Gentleman said that whenever money was advanced to Ireland it was at a lower rate of interest than the rate of money in England. Now, money for the drainage of land could be borrowed in England as well as in Ireland, and the amount paid in Ireland was exactly the same as in this country. He would not say that his own countrymen were not in fault, for they were distinctly in fault in one particular. They showed too great a pride with regard to engaging in trade and commerce; and on that point he quite concurred in some observations made by the right hon. Member for Limerick (Mr. Monsell) a short time ago. The right hon. Gentleman said that the middle classes did not give that practical education to their children which they ought to do; that the rich farmer never thought of educating his sons for trade, but wished to make them lawyers or doctors; that rich merchants never thought of risking a few thousands in a factory; that they regarded manufacturing pursuits as low and vulgar; that the greatest of the obstacles to Ireland was pride, the miserable feeling that there was something low and degrading in industrial pursuits. Whilst the Government were spending magnificent sums on the education of the people they did not give the people of Ireland that useful and practical education which was likely to qualify them for trade and commerce. In the schools for the poorer classes the children were brought up in a manner superior to the position in life they might be expected to occupy. He did not mean to say that the pupils were not well-grounded, for the contrary was the case; but its character was not such as would tend to raise the people from the condition into which they had now fallen. He must say a word with respect to the Chief Secretary for Ireland. He was convinced that no man ever went to Ireland more desirous to win a name and reputation which would emulate those of his predecessors, or more anxious to do his best for the credit of his Government; but he did not go to work in the right way. The right hon. Gentleman studied interesting statistics more than real facts, and depended more upon official returns than upon the information which he could have readily obtained from men of all sides in politics, and thoroughly acquainted with Irish affairs. He said this of the right hon. Baronet with all kindness, for he had ever experienced from him the greatest courtesy and attention. The noble Lord the Member for Stamford (Lord Robert Cecil), had also made a most able speech; but in that speech the noble Lord had made a statement which he could not permit to pass unchallenged. The noble Lord said that the chief cause of the evils of Ireland was the land tenure, and that leases were less common in Ireland than in England. The noble Lord was wrong when he laid it down almost as a problem that the absence of leases was one of the causes of Ireland's want of prosperity. He wanted to know the authority for that statement—he wanted to know if there was any county in England in undoubted prosperity on account of long leases, and another which was not prosperous for lack of them. It was easy enough to make statements, but he (Sir Hervey Bruce) wanted to have it shown that the question of leases affected prosperity in any case. It was said that the difference between Ulster and the south of Ireland was the difference of tenant-right and no tenant-right. Some hon. Gentlemen appeared to have extraordinary ideas of tenant-right. They thought that by it the landlord had to give money to the outgoing tenant for buildings or improvements carried out at the expense of the tenant. It was, however, no such thing. The man who improved his land was quite as anxious to stay with his landlord as the landlord was to keep him. It was the man who wasted the land so that he could no longer live on it who wanted tenant-right enactment. In the part of the country where he lived it prevailed to a great extent, and he knew that this was the fact. It had also been said that tenant-right exceeded the fee-simple without even a scrap of a lease; but that was never the case, although some landlords allowed their tenants to sell their rights to anybody who liked to buy them. He did not wish to run down tenant-right, but he believed that that had nothing to do either with prosperity or the lack of it. In 1846 and 1847, when Ireland was so distressed and every one was getting money to drain their land, he (Sir Hervey Bruce) did the same, and began to drain. The tenants were all against it, but they had no leases, and he said it must be done. It was done, and the tenants very soon saw that it was to their benefit as undoubtedly as if they had the longest and best of leases. The hon. Member for Galway (Mr. Gregory) like a modern Atlas, only less ambitious, would move Ireland a little further south; that perhaps would ripen the crops and fruits a little sooner, but he doubted whether they would not then lose "the right to be called the Emerald Isle." He was glad, however, to find that hon. Gentleman had this morning corrected the report of his speech in *The Times* that if a foreign foe landed on our shores the Roman Catholic Prelates would not be loyal to their Queen and country. He had heard that observation fall from a Gentleman representing essentially a Roman Catholic county with great regret, and he was very glad to see that he had now amended his speech. He had heard the observations which fell from the hon. and learned Member for Dungarvan (Mr. Maguire) with deep regret. A Gentleman so well known for his philanthropic views must on calmer reflection feel that, however eloquent his observations, they would not lead philosophic minds to consider what was best for the regeneration of his country and her restoration to that position to which the industry, intelligence, and loyalty of the mass of her people so justly entitled her.

SIR GEORGE GREY: Sir, I have listened to this debate with that interest and attention which I think it demands, as deeply affecting the welfare and happiness of so large a portion of the United Kingdom. Although it has lasted for a considerable time, I do not think that time has been thrown away. The hon. and learned Gentleman who moved the Amendment on the Motion for going into a Committee of Supply—although I differ from him in some of the opinions he expressed and the remedies he suggested for the present condition of Ireland—introduced the subject in an able and temperate speech, of which no one has a right to complain, and the debate has been conducted for the most part in the same spirit; and whatever may be the immediate result of the Motion—whether or not it be pressed to a division—the debate cannot fail to have a beneficial influence, having elicited, as I think, facts of great importance with regard to the actual condition of Ireland, and the causes of that condition, from men of weight and authority intimately acquainted with that country, opinions which cannot fail to lead the inhabitants to look for a remedy for the evils we all deplore, not so much to the Government and Parliament as to their united energies, and their own resources. I say, "evils we all deplore," because, without entering into minute criticism on the state of Ireland, without questioning the accuracy of the description of her miseries, or stopping to dwell on the hopeful signs of improvement visible in many directions, there is quite enough, every one must admit, to excite the sympathy which will be readily accorded. But not only will this subject tend to excite feelings of sympathy, the motive even of self-interest would induce us to look at it with deep attention and a desire to apply any remedy we could devise to the evils we deplore ; for the interests of Ireland cannot possibly be severed from those of the whole Empire. Ireland rich, prosperous, and contented, must add immensely to the greatness and strength of the Empire; whereas Ireland poor, distressed, and discontented, must essentially detract from our greatness and strength. It is therefore the interest of us all, if we had no other cause, to examine closely the state of Ireland, and see whether it be in the power of the Government or of Parliament to apply any permanent and efficient remedy to evils under which she is alleged to suffer. Now, with regard to the state of the country, such very different statements have been made, that it is difficult, if we view them superficially, not to conclude that many of them must be wrong. But in reality they are by no means inconsistent with each other. Just as in the case of England, there are counties where industry has been paralyzed, or the harvests have failed, and yet the general condition of the country is satisfactory; so, speaking of Ireland, statements have been made strictly true, and based on personal observation as to the prevalence of great destitution and distress in some districts, while there were other parts of the country, as described by the hon. and learned Gentleman the Member for Belfast (Sir Hugh Cairns) in glowing terms, enjoying prosperity and abounding in industrial occupation. Still, I say, there is quite enough in the state of the country for us seriously to deplore, and induce us from every motive of humanity, sympathy, and self-interest to apply a remedy, if a remedy can be devised. I think a great deal of light has been thrown on the causes of the distress in Ireland by this debate. It was admitted even by the hon. and learned Member for the King's County, that a good deal of the distress in Ireland was occasioned by circumstances altogether beyond the reach of Parliament. He stated that much of it arose from the physical geography and configuration of the country, which placed it at a disadvantage as compared with England and Scotland. The hon. and learned Member also spoke of climate, and hon. Gentlemen on both sides of the House confirmed what he said—namely, that the climate of Ireland was unsuited for cereal crops, and that it was important for the permanent welfare of the country that its staple produce should not be crops of grain, but that it ought rather to be a pastoral and grazing country. It was quite clear that in effecting this change there must be a great displacement of labour, and there was always distress wherever that took place, whether it was in Ireland or England. The hon. and learned Gentleman in the beginning of his speech referred to the want of uniformity in legislation as one of the evils affecting Ireland. No doubt a great many Acts had been passed since the Union applicable only to Ireland, and there is a dissimilarity still between many Acts of Parliament applicable to Ireland and those applying to the rest of the kingdom. But I may remind the hon. and learned Gentleman that of late years the tendency of legislation has been to assimilate as far as possible the legislation of the two countries. There are circumstances, however, which render it impossible to apply in all cases the same principles and details of measures to each part of the United Kingdom. The hon. and learned Gentleman was rather unfortunate in the illustration he selected, when he referred to the Poor Law Bill proposed the other night by my right hon. Friend the President of the Poor Law Board. He said that Bill, which was received with general approval, was one of great importance, but it applied to England alone; thereby implying that Ireland had to complain that the measure did not apply to that part of the country. But if it did not apply to Ireland neither did it apply to Scotland, because the circumstances of those two countries were very different from England as regards Poor Law administration. Its object was to mitigate the evils of the law of settlement, and to enlarge the area within which labour might circulate; but if applied to Ireland, it would have introduced into that country for the first time the law of settlement, and some of those restrictions which in England we are gradually getting rid of. That is an instance in which identity of legislation is impossible. But while the hon. and learned Gentleman was complaining of the want of uniformity of legislation, he himself, in the very next breath, proposed special legislation for Ireland which would not be tolerated for England. He asked for a law by which a tenant may make improvements without the consent and against the wishes of his landlord, and demand, on giving up the holding, compensation for those improvements. I am not aware of any law which would give a tenant such a claim in England. But that is what the suggestion of the hon. and learned Member as to land tenure amounted to. The differences which exist are caused not by want of uniformity in the laws, so much as by want of uniformity in the practices and habits of the people. What is the case in England in regard to improvements? The tenant will not take a farm if the buildings are not put into good tenantable condition. If the tenant afterwards wants other buildings he applies to the landlord or his agent, and if his demand is reasonable they are made at the expense of the landlord, the tenant paying an increased rent by way of interest on the sum expended. The same is done with regard to drainage —enormous sums have been laid out at the expense of the landlord because they add a permanent value to his estate; but the tenant pays interest in addition to his rent, in return for the profit he derives during his occupation from the improvements. All these things are matters of agreement between landlord and tenant, and I cannot see what there is to prevent similar agreements being made in Ireland, or what law is required or could be beneficial which should supersede mutual arrangements of that kind, and place everybody under the constraint of an unvarying rule. In England no such principle would be tolerated for a moment, and the hon. and learned Gentleman in advocating its adoption for Ireland asks us to do the very thing he condemns—to make an essential difference by law on a most important subject between England and Ireland. The hon. and learned Gentleman has spoken of the decrease of population in Ireland, and desires a remedy for it. He did not venture to charge the Government with being the cause of that depopulation. I have little to say in addition to what has already been said on the subject; but as it is expressly referred to in the Resolution the matter must be looked at in all its bearings. I entirely agree with the hon. and learned Member for Belfast (Sir Hugh Cairns), and my right hon. Friend the Member for Calne (Mr. Lowe), in deploring that the circumstances of Ireland should be such as to induce a large portion, and, in some respects, the best portion, of the population to leave the country; but before we endeavour to check that emigration we must inquire whether it is altogether an unmixed evil. It is obvious that emigration is governed by the ordinary laws of nature and the motives which influence human actions. If a labouring man finds that he cannot make more than 1*s.* a day in Ireland, but that at the expense of a few shillings he can transport himself and his family to Liverpool or Glasgow, where he can earn 2*s.*, 3*s.*, or even more per day—can you wonder that he should resort to so simple a means of improving his condition? Would it be right to prevent him? Well, the same remark applies to the United States. Circumstances have lately caused an unnatural rise of wages in the States. Facilities of intercourse are now very great, and at the cost of a few pounds a man can convey himself and family to America, where wages are four or five times as high as in Liverpool or Glasgow. Is it for his benefit that he should stop in Ireland? The hon. and learned Gentleman tells us we ought to follow the example of the Bank of England, which raises the rate of discount in order to check a drain of gold from this country. Does he mean to say that the Government should raise the cost of conveyance between Ireland and Scotland and England, or between Ireland and America, in order to prevent the Irish people from doing what is for their advantage and seeking higher wages? I gather from the debate that although the House regrets that any necessity should exist for a large portion of the Irish people quitting their country, it is not prepared to express that the emigration under the circumstances is an unmixed evil. The second part of the hon. Gentleman's Resolution pledges the House to support the Government in any well-devised plan for providing remunerative employment for the people of Ireland, in order, I presume, to induce them to stay at home. I believe all desire for free grants of public money for this purpose, with one slight exception, has been disavowed. The idea seems to be that advances should be made from the public Treasury to the landlords for the improvement of their estates, and for the employment in that way of the people. That plan would be free from the objection applicable to the Government undertaking large public works under their own management, as we were compelled to do during the famine, but which our experience then should deter us from doing again, except under very pressing and special circumstances. But if advances were made to the landlords, the Government would, to accomplish the object in view, have to enforce a fixed rate of wages. Unless that is done the object will not be obtained. If you do not give more than the ordinary rate of pay, labourers will still go to the quarter where the remuneration is higher. If, on the other hand, you do give higher pay you displace labour in every other part of the country, and draw it away from many occupations where it is being paid for at the ordinary market rate. No system of that kind can cure the evils of Ireland. It may be a palliative, it may mitigate the sufferings of a particular time or place, and as a temporary measure it may, if a carefully prepared plan were laid before Parliament, be entertained; but it is very important that we should guard against any scheme which is sure to produce a reaction and aggravate the very evils we desire to cure. Hon. Gentlemen in the course of the debate, I venture to think, have not dealt quite fairly with the Government on this subject. The Chancellor of the Exchequer laid down certain principles as applicable to grants of public money, which no Government ought to lose sight of, and of which I hope this House will never lose sight. But my right hon. Friend went on to say what has been totally overlooked except by my hon. Friend the Member for Dublin University (Mr. Lefroy) — that these principles did not preclude our entertaining any reasonable proposition for temporary relief. On the contrary, the right hon. Gentleman said with regard to the Shannon, for instance—"Prove your case; show that the banks of the river have been injured through the non-fulfilment of an obligation undertaken by the Government, and we admit your principle and will consider your claim." If temporary relief for local distress is to be given, said my right hon. Friend, the Government is of opinion that advances on security sufficient to insure repayment form the best mode in which relief can be afforded. He added that the Government was not unprepared, if a sufficient case were made out, even to depart from the usual rule as to interest, and to furnish money, which would enable landlords to give employment to the people at a low rate of interest. After that the noble Lord the Member for Stamford (Lord Robert Cecil) was not justified in the taunts he cast upon my right hon. Friend on account of the harshness of his principles. Of course my right hon. Friend could not encourage applications for grants of money—it would have been wrong for him or any Minister to do so; but he said that if good grounds were shown for advances of money by way of loan, there was no indisposition on the part of the Government to examine the subject carefully. The noble Lord advocated grants of money to Ireland on the ground of the description of her condition given by Mr. Pitt in a speech made eighty years ago, speaking of a system which even then he said was exploded; but as that system applied to the colonies as well as to Ireland, the principle of a grant would apply equally to the colonies. I cannot call that statesmanship. It is only pandering to public expectation in a way that must lead to mischief and disappointment. No House of Commons, I am satisfied, would tolerate the application of such a principle to Ireland or the colonies, or permit the reckless expenditure of public money from which no permanent remedy is to be secured. For permanent improvement of Ireland, I think the present debate has proved that the Irish ought to look to themselves. They must rely upon their own exertions and resources rather than—as they are too apt to do — exclusively upon the Government and Parliament to assist them in dealing with circumstances which have arisen not from any action on the part of the Government, but from causes over which neither Government nor Parliament have any control. I do not adopt the tone or language of the hon. and learned Member for Sheffield (Mr. Roebuck), but his speeches are always worth listening to, and in the conclusion of his speech on this occasion there was much wholesome advice to the Irish people. For my own part, I can only say that if the Irish, instead of allowing their religious animosities to sever them from one another, were to unite for the common good of their country, to accommodate themselves to circumstances instead of striving against nature, to avail themselves of all their own resources, and then come to Parliament or the Government with any reasonable claim for assistance, I feel assured they would find neither Parliament nor the Government disposed to reject their claims without favourable consideration.

SIR STAFFORD NORTHCOTE said, he thought the hon. and learned Member for the King's County might be congratulated, in the first place, on the tone and temper with which he had introduced to the notice of the House, an important subject; and, in the next place, upon the effect which the debate seemed to have produced. Whatever might be the immediate result of the discussion, his hon. Friend would, he thought, be entitled to take credit to himself for having performed an important service to his country. In some of the criticisms to which his Motion had been subjected, he was not disposed to concur. He could not, for instance, agree with the right hon. Gentleman who had just spoken (Sir George Grey) that the question, whether the emigration of the people of Ireland across the Atlantic was to be viewed with regret, depended wholly upon the circumstance of their being better or worse for the change. There were other considerations to be taken into account, beyond the mere consequence to the individuals who left their native shores. It was, no doubt, a pleasing reflection to think that there was a large number of our fellow-countrymen who, having been in a state of great misery and distress at home, were now placed in a position of comparative comfort. But the question was not only individual but national; and we must not look only to the condition of those who were gone, but to that also of those who remained behind. We must look not only to physical, but to moral considerations, and taking that view of the subject, ask ourselves whether England and Ireland have been such gainers by the emigration from the latter, as some hon. Gentlemen seem inclined to believe. He assented to the proposition that those who attained better wages in England and America, were benefited by the change, but he did not admit that they necessarily benefited those whom they left behind them. The right hon. Gentleman the Member for Calne (Mr. Lowe) in his extremely able and very instructive speech, seemed to take it for granted that that of which Ireland chiefly stood in need, was to be relieved of her surplus population, and that the greater the number of those whom she was unable to support left her shores, the better was it for those who stayed, inasmuch as wages would then be distributed over a smaller number, and each person as a consequence, would get a larger amount. Now, he did not know whether hon. Members had looked over the Report of the Committee on Irish Taxation which sat last Session; but if they had not done so, he could assure them that in it, amid much that was technical and uninviting, relating to the accounts between the two countries, they would also find much that was extremely valuable; and he would direct their attention especially to the evidence of Mr. Edward Senior, who was an Englishman, who had resided in Ireland in an official capacity for upwards of twenty years, who was at the head of the Poor Law Department in that country, and who spoke very fully as to its condition. Mr. Senior was asked in reference to emigration the following question:—

> "Do you think emigration has had any effect upon the prosperity or otherwise of Ireland?"

His answer was:—

> "I think it tends to facilitate ultimately a better system of agriculture; it tends to benefit ultimately the labouring classes who remain; but I have no doubt that its immediate action is unfavourable; its immediate action must be to throw the support of the aged and infirm upon the poorer and a smaller class of the community. The large amount taken by emigrants, to that extent diminishes the capital of the country. If the emigration consisted entirely of the poor it might be beneficial, but it is, to a certain extent, at present a capitalist emigration. So nearly as I can calculate it, the amount of annual loss fròm emigration at this moment cannot be much less than three quarters of a million."

Mr. Senior went on to show that he arrived at that result by taking the amount of money which the emigrants carried with them, including their passage-money and cost of outfit, and then deducting from it the amount of the remittances which they afterwards sent back to Ireland. Now, it appeared to be the opinion of those who had most carefully studied the question, that one of the causes of the distress which prevailed in Ireland was the want of capital to develope her resources, and it might therefore, he thought, very fairly be argued that the emigration of small capitalists might be to her a source of injury instead of an unmixed benefit. But there was another consideration which must not be lost sight of in considering the question of emigration, and to which the right hon. Member for Calne had briefly alluded, when he said that whatever view we might take of emigration, when it was gradual we could not shut our eyes to the misery which was occasioned by the sudden and violent displacement of a large mass of human beings. When, moreover, the emigration was in character not so much a movement of attraction as of repulsion, not so much the result of the prospect of great advantages to be obtained elsewhere, as of the consciousness that a livelihood could not be secured at home, it was impossible not to feel that it was calculated to produce great suffering. Then there were the moral and political features of the subject, and he would ask hon. Members with what sentiments persons leaving their native land under such circumstances as those to which he referred were likely to regard the country which they had abandoned. It might be quite possible that some philosophic historian, looking back upon Ireland after the lapse of years, might arrive at the conclusion that the present emigration had done her much good; but we could not, while the process was taking place before our eyes, look upon it in that calm philosophic spirit—we could not shut our eyes to the misery which must be occasioned by the sudden and violent dispersion of great bodies of people; and we should remember that the emigrants are easily led to entertain feelings of hostility to the Government under which they had found it necessary to abandon their early homes. Were we to do so we should be guilty of a great error. We might, by pursuing that course, be sowing the seeds of future weakness to this country, and that consideration, as well as the others to which he had adverted, ought, in his opinion, materially to colour the satisfaction with which some hon. Gentlemen appeared to view the progress of emigration in Ireland. But to deal with the whole question of the condition of the country as raised by the Motion of the hon. Member, he must say that he perceived with great pleasure throughout the debate the prevalence of a better tone than sometimes characterized discussions on that subject, although even now there was by no means an entire absence of language calculated to give pain to the Irish Members, and, what was of more importance, to the Irish people, who received by retail, and, perhaps, not always in a shape likely to convey the most favourable impression, the report of what was said in the House. In his own opinion the subject was one which Parliament could hardly be said to approach with clean hands. It might, indeed, be contended, as it had been by the hon. and learned Member for Sheffield (Mr. Roebuck), that Ireland had of late years been extremely well-governed; but it was, nevertheless, an undoubted fact that, in years gone by, the legislation and policy of England towards her was of a character materially to injure her, and to render her much less able to bear the burdens at present imposed upon her. When, therefore, hon. Members spoke of England having burdens to bear as well as Ireland, they must not forget that the two countries were like two bodies, one of which had been deprived of a limb, and which, as a consequence, ought not to be supposed capable of supporting as great a weight as the other. Thus Ireland having been crippled by the action of England in former times, we ought to approach the question of her condition in a spirit of tenderness and sympathy towards her, and to endeavour to aid her as far as possible in her distress, without charging her with assuming a whining tone. It was, of course, impossible for us, as the right hon. Gentleman the Member for Calne had said, to bid against the labour market in America with the view of keeping the Irish people at home; but then, if anything could be done to check the tide of emigration—not by raising the passage money, because any attempt of that kind would do more harm than good—but by making the condition of the Irish labourer so comfortable at home that he would have no desire to emigrate, we should, in his opinion, not only be adding to the wealth and strength of the Empire, but doing that which was right as well as politic by adopting such a course. It would be well, he might add, to bear in mind that the tide of emigration, which had, during the last twenty-five years, so reduced the population of Ireland, had also, to some extent, simultaneously prevailed in England, whose population had notwithstanding, during the same period, increased instead of diminished. Twenty years ago great distress existed in England, and it was the opinion of many persons that the country was overcrowded, and that to emigration she must look to be relieved from her surplus population, which, according to the Census of 1841, was, he found, about 16,000,000. Twenty years later, in 1861, the population of England and Wales had risen to 20,000,000, and although at the former period it was said that England was over-populated, and that it was necessary for the teeming millions to seek employment for their labour on other shores, yet those complaints had now ceased and the country had passed to a state of great prosperity. The population of England had augmented during those years by 25 or 26 per cent. The population in Ireland meanwhile had decreased at the rate of over 30 per cent., and emigration was still going on, yet the people had been reduced to a state of great misery. These were facts over which the Irish people would naturally meditate, asking to what extent their condition of comparative suffering would go, and why their land should still be over populated, and their countrymen flying from its shores. If they asked hon. Gentlemen opposite to what the improved condition of affairs in England was owing, they would get a short and ready answer. They would be told, "In England we have pursued a course of beneficial improvements; our legislation has been founded on the wisest possible principles; we have reduced taxation on the raw materials of manufacture; we have increased commerce; we have done away with protection; and we have given an enormous development to trade." He would make no objection to that statement. The Irish people, however, would be struck with this fact, that these measures, though of ultimate advantage, it was to be hoped, to the United Kingdom, had all proved largely and immediately for the benefit of England, while to Ireland, for the time, at least, they had been productive of much loss and suffering. In these transactions there had been two partners, and England, the stronger partner, reaped the principal benefit, while Ireland, the weaker partner, received the greater portion of the blows. He was not arguing in the sense of a Protectionist, or saying a word against free trade, but it had been admitted, even on the high authority of the right hon. Gentleman the Member for Calne that the population of Ireland had suffered materially from the repeal of the Corn Laws and the introduction of free trade. He did not know whether hon. Gentlemen had seen a very interesting paper by Mr. Bence Jones, an English gentleman, which was lately republished from *The Gardeners' Chronicle*, giving an account of that gentleman's experience in Ireland. It was a paper which he (Sir Stafford Northcote) earnestly hoped would be read by Gentlemen who felt an interest in the condition of Ireland, and in which were to be found many things that appeared to have been unknown to hon. Members who had taken part in that debate. It showed, among other things, how by a liberal application of capital and by skill in its direction land might be cultivated with profit to the owner even in districts the most unfavourably situated, and with a marked increase in the comfort and contentment of the resident population. But his special object in now referring to it was to call attention to a particular feature in the present condition of the country—the want of money. Mr. Jones pointed out what a wonderful social change took place in Ireland at the time of the great potato famine, and illustrated this by reference to what occurred in the neighbourhood of Skibbereen. Before that time there was scarcely any need for money in the transactions between tenant-farmers and their labourers, as a complete truck system prevailed. Labourers were paid by having their cabins found for them, with fuel, potato ground, and seed to plant it. Grass was allowed for a certain number of sheep, the wool from which was woven by the women of the family, and partly made up into clothes. But when the potato famine happened the state of things just described was swept away, and everything depending upon the cultivation of the potato was annihilated. A demand grew up for that which did not exist—namely, money, and the demand, according to Mr. Jones, led to the breaking up of an immense number of farm establishments. Labourers having no longer the potato to depend upon were obliged to demand money from their employers, the tenant-farmers, who had no money to give. It was only by the employment of Mr. Jones's capital, and by the patience and skill with which he contended against difficulties, that better times were brought round in his district. And what had thus taken place at Skibbereen was a fair illustration of what occurred in other parts of Ireland. That being so, hon. Members from Ireland not unfairly come forward and say to England,—"Inasmuch as this state of things is to a certain extent the result of your legislation, and of the condition into which you allowed Ireland to get before those changes took place, cannot you, who benefited so greatly by those changes, assist us to what we so urgently require?" Another claim put forward by the people of Ireland had been alluded to by the right hon. Gentleman the Member for Calne (Mr. Lowe). They argued that at the very moment when capital was of such vital importance to them it was carried away by an increase of taxation. The right hon. Gentleman said he could not understand the complaint, holding that it made no difference to a rich man, from whom a certain portion of his wealth was taken, whether he was living at the moment in England or in Ireland. It was quite true as far as the individual was concerned, that it made no difference; but he would ask his right hon. Friend whether it did not make all the difference to the country in which he lived, where the portion of his income so abstracted would otherwise have been spent. No doubt a rich man in Ireland was individually as well able as a rich man in England to pay a tax; but the result of subjecting him to the impost was to create a far greater deficiency in the capital available for the employment of labour than that which was created in a richer country such as England. In such a case as that in which Mr. Bence Jones could only improve his land by the liberal application of capital, did not the removal of appreciable portions of that capital for the purposes of imperial expenditure inflict a blow, under whatever name it might be disguised, in lessening the fund applicable to the payment of labour. Last year's Report of the Taxation of Ireland Committee made it clear that within the last ten or twelve years the taxation of the whole country, but especially of Ireland, had rapidly increased; and without troubling the House by reading the paragraph of the draft Report which he laid before the Committee of last year, he might state that the upshot of our present system of taxation had been to increase the taxation of the United Kingdom within that period something like 20 per cent, and they would further find that whereas the taxation of England had increased only 17 per cent, that of Ireland had increased no less than 52 per cent between the years 1851 and 1861. This disproportion had been brought about by laying upon Ireland the burden of the income tax and by heavily increasing the spirit duties, making use at the same time of these two great engines of taxation to relieve the United Kingdom, but more especially England, of particular fiscal impositions. He was not prepared to challenge the course pursued by Parliament either in respect of the taxation laid on, or of that taken off;—neither was he advocating—though some of his remarks might appear to have that tendency—any change in regard to our free trade policy or any return to a policy of protection; but taxation in these two points having pressed so heavily upon the people of Ireland, it was incumbent upon the people of England to take into account the necessity of relieving Ireland in any way they could. With this object in view, what methods were open to them? He might say at once that he was decidedly opposed, and he believed all true friends of Ireland—certainly all who reflected upon the interests of the United Kingdom—would be equally opposed to any measure having for its object to introduce discriminating taxation between the two countries. The mischief of carrying discriminating taxation beyond the point to which it at present existed would overbalance the advantages that Ireland might derive in that respect. With regard to expenditure, in the draught Report which he had laid on the table of the Committee, and to which he had already alluded, he had expressed his opinion that it would be most unwise and imprudent to incur national expenditure in any particular part of the United Kingdom merely for the purpose of creating employment in that locality, unless the expenditure were of a reproductive character. But there were two points to which it was very necessary that more attention should be given than had yet been practicable. One was whether the people in Ireland enjoyed the full advantages of those aids to local taxation which were possessed by England. That question required more attention than it had hitherto received, it had been opened before the Committee last Session, but not fully investigated. The other point was, whether any public aid or facilities could be given for the employment of the public money in works of a reproductive character. They appeared to be all of opinion that to spend money on what were called public works would be unwise and mischievous, as the people to whom the expenditure was intrusted by the Government, having no direct interest in the matter, would probably be wasteful and mischievous. But, on the other hand, the system which had been pursued to a considerable extent already, of making advances to proprietors and others for the improvement of their land might, he thought, be encouraged and extended. The tone of the speeches that had been delivered by those Members of the Government who had spoken in this debate led him to think that it was not altogether impossible that many points connected with the advance of public money would receive some further consideration. The position in which they stood was this. The Committee of last Session appointed to inquire into the Taxation of Ireland sat for the greater portion of the Session and took evidence, but it made no report. He understood that it was probable the Committee would be re-appointed this Session—after that debate he did not see how it could be otherwise—when he thought the suggestion of the hon. Gentleman the Member for the University of Dublin should be followed, and the Committee be directed to report on the mode in which advances of public money should be made. Of course it would not be desirable to call upon the Committee to undertake to say how much money should be expended, or what improvements Ireland stood most in need of; but he hoped the Government, on the re-appointment of the Committee, would have no objection to extend the order of reference, so as to allow the Committee to take into its consideration the whole system of public advances and repayments. He trusted that his hon. Friend the Member for the King's County (Mr. Hennessy) would, in that case, consider his object more fully gained after the debate that had taken place than if the House were to pass an abstract resolution. If his hon. Friend should elect to go to a division upon the question as it now stood, he would only confuse the minds of the public, because Gentlemen who agreed together in the main would be found in different lobbies, and the hon. Member would be undoing some of the good that would otherwise be effected by the debate he had originated.

Mr. CAIRD said, that the question of emigration was one of the most important that could engage the attention of the House, as would be seen when it appeared that one-third of the population of the sister kingdom and one-tenth of the population of the United Kingdom had emigrated. Allusion had been made to the question of tenant-right as bearing on the present distress of Ireland. Now it appeared that Ulster, where tenant-right prevailed, had contributed to the whole emigration during the last ten years 27 per cent, while Connaught, in which no tenant-right existed, had only contributed 11 per cent. So that they must not look to the establishment of tenant-right for a remedy for the ills of Ireland. Then, with respect to public expenditure. In no part of the United Kingdom had the money of the country been more lavishly employed. Very large sums had been expended in Ireland, and in many cases with great advantage, and yet the expenditure had not prevented emigration. He could not quite agree with the right hon. Gentleman (Mr. Lowe) as to the simplicity of the change required—from an agricultural to a pastural system. He agreed that the climate was not suitable to the cultivation of the wheat crop on a large scale; but an immense extent of cereal crops was raised in Ireland, and to say that the sister country ought to adopt a system entirely of pasture would be a more fatal error than to continue the present system of agriculture. Last year the cereal produce of Ireland amounted to 10,600,0000 quarters of corn, chiefly oats. That was one third of the total cereal produce of the United Kingdom. Another article of produce upon which he agreed Ireland had placed too much dependance was the potato. The failure of that crop no doubt led to much of the evil and misery that existed in Ireland. But the climate of Ireland being moist was extremely favourable to the cultivation of that esculent, and within proper bounds it was a crop of very great value. The produce of potatoes was not less than 3,400,000 tons last year, and the value of these cereal and potato crops last year was not much less than £20,000,000 sterling. In many parts of England and Scotland the farmers were producing less corn and more stock and dairy produce than they ever did before, yet without, at the same time, lessening the employment of labour. They were cultivating green crops and root crops instead of cereal crops to a considerable extent. After land had been laid down in pasture in so moist a climate it required to be broken up to prevent the growth of moss. There was, therefore, no incompatibility between a system of agriculture that raised more cattle and stock and the employment, to a large extent, of the labour of the country. And so in Ireland, while he deprecated any sudden change from one system to another, he thought they might advantageously diminish their cereal produce and increase the stock and dairy produce—and it must be remembered that in the latter they had not to compete with the foreigner. He was told by a gentleman acquainted with Ireland that the rate of wages had scarcely, if at all, increased even in the districts where emigration had been most rife; so that, while the rate of wages was low, the opportunity of employment had not increased. Fifteen years ago he visited Ireland, and saw the position in which the dense agricultural population was placed. It was not to be found in the richer, but in the poorer parts of Ireland, on the edges of bogs, and on bleak hill sides, where in England a large population could scarcely grow up. No one could go to Ballinasloe and see the cattle brought to the fair without being certain that there was a great deal of good land in Ireland. But there was also a vast deal of poor land in the country. Would any one desire that the population of the poorer and denser parts of Ireland should remain in their wretchedness? He had seen the same class of people in the Western States of America, and he found them ruddy and rich, getting on well, and sending for their friends to join them. He said it was not desirable they should be prevented from improving their condition. The loss of so many inhabitants was not a loss to Ireland simply; it was a national loss. The hon. Member for Greenock (Mr. Dunlop) had spoken with too much complacency of the comparative welfare of Scotland. The fact was, Ireland depended solely upon her agricultural resources; Scotland, like England, had rich mineral wealth, which encouraged and sustained the population which was drifted into her towns. The hon. Member had spoken with great propriety of the great advances which the town with which he was connected had made, and, pointing to Ireland, said, "Why can't you do so too?" But Ireland had not rich mineral districts to feed her manufactures. That was the great distinction between Ireland on the one hand and England and Scotland on the other. What he would desire to see was the bonds of union drawn closer between Ireland and the sister kingdoms, that Ireland should really become an integral part of the United Kingdom, and that her counties should be as it were English and Scotch counties. If the present condition of Ireland were looked upon as a national loss, he had no doubt that they would be able to come to an understanding as to the remedy. He agreed with what had fallen from the hon. Baronet the Member for Stamford (Sir Stafford Northcote) in the later part of his speech —that there was great room for extensive improvements. They had a precedent in this country for offering reproductive loans for purposes in which it could be shown that benefit would arise. He would not speak of the waste lands. He did not agree with the hon. Member for the King's County (Mr. Hennessy) that there were any waste lands in Ireland which by an expenditure of £7 could be made worth 30*s.* an acre. If the hon. Member could show him such lands, he (Mr. Caird) would engage to get plenty to take them in hand. When the hon. Gentleman said that 58,000 acres had gone out of cultivation last year, that fact showed that there was plenty of good land which could be improved, and if loans were properly applied to it, on the conditions upon which they had been applied in England and Scotland, so that the money should be repaid, he had no doubt whatever that it might be done with great public advantage. He was quite sure that this country would cordially agree to any measure which should be for the benefit of Ireland.

Mr. PEACOCKE congratulated the hon. Member for the King's County, inasmuch as his speech had extracted from the right hon. Baronet the Secretary for the Home Department an acknowledgment of that which had been denied by the Secretary for Ireland—namely, that some distress prevailed in that country. Every hon. Gentleman, he believed, acknowledged the existence of that distress, except the Secretary for Ireland. The right hon. Gentleman the Secretary for the Home Department and the right hon. Gentleman the Member for Calne (Mr. Lowe) had both thought proper to attack his noble Friend (Lord Robert Cecil), and to charge him with saying what he had never said —that the present distress was owing to the Government. But what his noble Friend had said was that this country had incurred a heavy debt to Ireland for her past misgovernment, and that Parliament ought, therefore, to depart from the strict application of economical rules in her favour. He (Mr. Peacocke) was very much inclined to partially endorse this view, because he believed that the policy of this country for years had been that of increasing her own manufactures at the expense of those of Ireland. Nor had England been content with endeavouring to destroy the Irish manufactures, for she had also endeavoured to render the cultivation of the soil of Ireland impossible. Some of the disabilities under which we had placed the population of Ireland were of the most extraordinary and unjust character. One of the statutes of Queen Anne, passed 4th May, 1704, and called an Act to prevent the further growth of Popery, actually said that no Catholic—and Catholics comprised at the time six-sevenths of the population — should be capable of purchasing land in Ireland, that no Catholic should enjoy a lease of land for more than thirty-one years, and further, that if the profit arising from any farm should exceed one-third of its rent the interest of the Catholic should cease, and it should become the property of the Protestant who should make the discovery. Was not any such legislation enough to render the cultivation of the soil hopeless and impossible? He would repeat, then, that there was a heavy debt due on the part of this country to Ireland. He would read to the House the opinion of an eminent authority, Arthur Young, given on this subject in 1788. He said—

> "The fact is, the professors of the Catholic religion are under such discouragement that they cannot engage in any trade which requires both industry and capital. If they succeed and make a fortune, what are they to do with it? They can neither buy land nor take a mortgage, nor even fine down the rent of a lease. Where is there a people in the world to be found industrious under such circumstances?"

And again—

> "I have conversed on the subject with the most distinguished characters of the kingdom, and I cannot, after all, but declare that the scope, purport, and aim of the laws of discovery, as executed, are not against the Catholic religion, which increases under them, but against the industry and property of whoever professes that religion. In vain has it been said that consequence and power follow property, and that the attack is made in order to wound the doctrine through its property. If such was the intention, I reply that ninety years' experience proves the folly and futility of it. Those laws have crushed all the industry and wrested most of the property from the Catholics, but the religion triumphs, and is thought to increase."

That was the opinion of an unbiassed and most intelligent witness; and when they looked to history they found from the time of Cromwell to the Union the action of this country towards Ireland had been one continued process of barbarity and injustice, and he believed that in the present disaffection of the Irish population England was reaping that harvest of wrong which she had scattered broadcast over the land. But the practical question for the House now was whether the Motion of his hon. Friend was calculated to discharge the debt which was due from England. He believed it was not. The Motion proposed that the Government, by a system of public advances, should step in and give employment, in other words, artificially to keep at home a supply of labour beyond the natural demand for it. But the natural consequence of stimulating the supply of any article beyond its legitimate demand was to depreciate its value. If, then, they were to stimulate the supply of labour beyond the legitimate demand, they would depreciate its value. But that was not what his hon. Friend desired. If Ireland was to be regenerated at all, it would not be by a system of Government grants and loans, but by the industry, the energy, and the self-reliance of its own population.

Mr. BLAKE said, that at that late hour, and after so protracted a debate, he would not trespass on the patience of the House, but would reserve for another occasion, which he believed would soon offer, more lengthened observations. He was desirous, however, of setting the House right on a few matters which, owing to remarks of two of the last speakers, they might adopt erroneous opinions about. The Secretary of State for the Home Department had complained that "while the Mover of the Resolution expressed a desire for equal laws for England and Ireland, still that he suggested a law for Ireland relative to the tenure of land which would not be tolerated in England." Fortunately for England, the relations between landlord and tenant in England did not render such a law necessary; and his hon. Friend only wished that in Ireland that should obtain the force of law which custom and public opinion really made law in England. The state of things which the right hon. Baronet described as existing in England had unfortunately, with few exceptions, no parallel in Ireland. All that he and those who acted with him desired was to have it so, and the House would not be troubled with their complaints. The hon. Member for Stirling had drawn attention to the fact, that in the province of Ulster, where tenant-right existed, there was 27½ per cent of emigration by last return, and only 11½ from Connaught, where there was no tenant-right. The reason was very easy of explanation. The latter province, owing to its mountainous character, was more thinly populated, and had suffered most during the famine years. Death from starvation had swept away the people there in tens of thousands; in the years following as many emigrated as could do, and few were left who could afford to leave. It should also be borne in mind that not more than half the Ulster counties had tenant-right in operation, and some of them, like Donegal, were very poor. The emigration that took place from the counties having tenant-right in operation, consisted, in a great degree, of young men, sons of people of fair means, for whom there might not be room to get on as satisfactorily at home as the elder portion of the family, and therefore wished to push their fortunes elsewhere, being usually provided with good means to do so. They resembled the German emigrants very much. Ireland was now reduced to nearly five millions of inhabitants—once it had close on nine. Under the present land system he believed it could not fairly support more than three millions, and to that it was fast coming. Competent authorities declared that the land, under a proper system of culture, could support four times that number. It was manifestly the duty of Parliament to ascertain, so far as they could, if such was the fact, and if so, to devise means, consistently with the rights of property, to develope properly the resources of the soil. He believed it would be found that the real way to do that would be to give the cultivator due protection for a fair share in the improved value which his labour conferred on the soil. The hon. Member for Dungarvan would in a few weeks propose to the House to appoint a Select Committee to consider all the Land Bills which had passed the House, with a view of devising one practical Bill. In justice they ought to concede that. If his hon. Friend pressed his Motion to a division, he would, of course, vote with him; but he hoped the Government would make some fair proposition to prevent the necessity of his doing so.

VISCOUNT PALMERSTON: Sir, whatever differences of opinion may have been expressed in the course of this discussion with reference to particular details, everybody must agree that the subject is one of the deepest possible interest; and also in the fact, that I am happy to observe, that the debate has been conducted in the most temperate and creditable manner. The hon. Member for the King's County, who moved the Amendment, set the example, and it has been followed by those who have succeeded him; and although it often happens that in this House debates upon Irish questions are conducted with, perhaps, more effervescence than may be considered fitting, this is certainly an example to the contrary; and I trust that from henceforward our discussions on Irish affairs will be conducted with the same temper and moderation as have been exhibited on the present occasion. Sir, the objects of the Amendment are twofold—first, it asks the House to lament the diminution of the population of Ireland; and, next, it seeks to pledge the House and the Government to take steps to remedy this state of things. The foundation of the Motion is the assumption that great distress prevails in Ireland. Undoubtedly there is distress in many parts of the country; but, at the same time, I would beg the House to recollect that four years ago everybody was congratulating himself upon the progressive improvement of Ireland, that it has only been the occurrence of three years of bad and unfavourable seasons which has thrown the country back and occasioned a period of much distress, and that although that result has unfortunately occurred, it must unquestionably be admitted that the last year was one of a different character, and in some degree recovered Ireland from the distress from which it had suffered in the preceding years. I do not wish to overstate anything connected with the reviving gleam of prosperity in Ireland. We will admit — which cannot be denied — that there is in the condition of Ireland much to be deplored, and which we should wish to be able to remedy. As to the first part of the hon. Gentleman's Motion, lamenting the decline in the number of the population, unquestionably in the abstract it must be a source of regret to see the people of any country flying from their native shores and seeking elsewhere those advantages which they are unable to find at home. But some years ago the great evil of Ireland was represented to be a too redundant population, and the chief remedy which was then universally recommended was an extensive emigration. It is undoubtedly painful to contemplate the causes which lead to emigration. Emigration in itself is no evil. If those who emigrate find in another country a better condition than they enjoyed in their own, they become happier, their welfare is increased, and, besides that, the condition of those who stay behind is improved by the circumstance that a smaller number of persons are left to enjoy the advantages which their native country may possess. That which we lament with regard to the emigration is that, unfortunately, the condition of Ireland is such that the people are able to find elsewhere a better state of things than exists at home. Hon. Gentlemen have assigned various reasons for this unfortunate state of things. I believe that one great and almost paramount reason is that which has been assigned by my right hon. Friend behind me (Mr. Lowe) — the peculiarity of the climate. Ireland is said by many to be a most fertile country. No doubt, there are in it great tracts of very fertile land—land far more fertile than many parts of either England or Scotland. I know land in Ireland on which it is said that grain crops have been raised for sixteen years in succession, which cannot be said of any part of Great Britain. But there are also in Ireland great quantities of land which are wholly unproductive—bog and mountain — and that ought to be taken into consideration when you calculate the population which the superficial area of the island is able to support. You cannot expect that any artificial remedies which legislators can invent can counteract the laws of nature, and keep in one country a population which finds it to its advantage to emigrate to another. It is impossible. Things will find their level; and until by some means or other there shall be provided in Ireland the same remuneration for labour, and the same inducements to remain which are afforded by other countries, you cannot by any laws which you can devise prevent the people from seeking elsewhere a better condition of things than exists in their own country. We are told that tenant-right and a great many other things will do it. None of these things will have the slightest effect. As to tenant-right, I may be allowed to say that I think it is equivalent to landlords' wrong. Tenant-right, as I understand it to be proposed, would be little short of confiscation; and although that might cause the landlords to emigrate, it certainly would not keep the tenants at home. The real question is, how can you create in Ireland that demand and reward for labour which would render the people of Ireland willing to remain at home, instead of emigrating to England or Scotland on the one hand, or to the North American States on the other? Well, in my mind, nothing can do that except the influx of capital. Ireland has many advantages for the profitable employment of capital, but hitherto manufactures have taken but little root there. It is said that in Ireland there is no coal; but there is coal there—not in great abundance, but enough to supply manufactories to a certain extent. There is also a great deal of water-power in Ireland, and we all know that water-power is for many purposes better and cheaper than steam. What is it, then, which has hitherto prevented the influx of capital into Ireland? Why, it is the double notion, first that Ireland does not afford the same means for the profitable employment of capital that exist in England and Scotland; and, secondly, that there is not the same security for its safe employment in Ireland. Therefore, the concluding observations of my hon. and learned Friend the Member for Sheffield (Mr. Roebuck) ought to sink deep into the mind of every Irishman. Hitherto, the political and religious feuds which have prevailed in Ireland have created exaggerated notions in this country of the insecurity which attends the employment of capital in Ireland. If the capitalists of England and Scotland could be well persuaded that they would find in Ireland not only cheap labour and the means of working their machinery, but the same security for themselves and their capital which exists in this country, there could be no reason why capital which seeks employment in the most distant regions of the earth should not go over to Ireland and there find profitable employment for itself, and also improve the condition of the people. There cannot be a greater mistake than to suppose that commercial capital cannot be profitably and securely employed in Ireland; and whenever that conviction shall implant itself deeply in the minds of capitalists one great source of the poverty of Ireland will be removed, and from that time we may date a progressive advancement in the condition of the people. The improvement of agriculture cannot prevent emigration, because one source of the poverty of Ireland is to be found in the minute subdivision of holdings. What improvement can a man make upon his land who holds only five, six, or ten acres, and has no capital except his own labour and that of his family? No great improvement can be made in the agriculture of Ireland without the displacement of part of the population, and, therefore, agricultural improvements, so far from materially checking emigration, would in some respects contribute to its increase. Nevertheless, much additional employment may be found for the people in some parts of the country by the application of additional capital. If by private enterprise, these improvements can be made; if, by means of advances to be repaid in a certain number of years, landowners can be enabled to undertake operations for which their existing means will not provide, any such proposal would be one which it would be very desirable should be considered, and if it were adopted in a shape free from objection, it must undoubtedly have a very beneficial effect upon the condition of Ireland. At the same time I would humbly remind landlords that the power of borrowing is one which it is very tempting to employ, but that the time for repayment must come; and therefore any landowner would do well to consider carefully what are the prospects of a remunerative return upon the capital to be employed before contracting a debt either with the Government or with any private company. With regard to the first part of the Resolution, therefore, I say that it is impossible to adopt the naked assertion that we lament the decline of the population of Ireland. That is a complicated question. We lament that the population of Ireland should find it more to their advantage to emigrate than to remain at home; but if that is the result of a state of things such as I have described we cannot lament that those who are in a bad condition at home should find a better state of things by emigration. With regard to the second part of the Resolution, as to grants—I think that the feeling of the House has been decidedly expressed against gratuitous advances of money by the State for the purpose of local improvements. With reference to advances to be repaid, there are companies which have been established for the very purpose of making loans for agricultural improvements; and I apprehend that if good security were offered to them, and a fair prospect were shown of the remunerative employment of capital, from these private companies much assistance might be obtained. The hon. Baronet the Member for Stamford (Sir Stafford Northcote) suggested that the Committee of last year should be re-appointed for the purpose of inquiring how far reproductive advances from the public funds might be extended in Ireland to purposes of local improvement. I am not prepared to give a decided opinion upon a proposal of this sort until I see the particular terms of the order of reference proposed, and the Government are able to understand exactly its bearings. But it is a proposal fairly entitled to consideration. I can only say that the Government fully share the feeling of deep interest and sympathy that has been expressed towards Ireland by all who have spoken in this debate. It is impossible for any man to know anything of the Irish people without wishing them every happiness which can be conferred upon them. They are a light-hearted and a warm-hearted race; they are most industrious too, wherever they can see the prospect that by industry they will get the reward to which industry entitles men. It is quite a mistake to suppose that the Irish are an idle race, unwilling to labour, and not prepared to make great exertions for the sake of accomplishing any legitimate object. They are a people for whom every man who knows them must entertain the utmost sympathy and must feel the strongest desire that they should enjoy every advantage which can be conferred upon them by legislation or by any artificial arrangements which it is in the power of the Government or of Parliament to make. Therefore, it is unnecessary for me to say that the Government of this country would be most anxious to consider any proposals that were founded upon a reasonable prospect that they would tend to improve the condition of Ireland. Though, undoubtedly, much that has passed in this debate must inspire pain to those who have heard it—I mean as far as relates to the unfortunate condition of many parts of Ireland, and the distress which we cannot deny exists there—still, I think that no man can look at Ireland without entertaining feelings of hope. It is demonstrable that if you compare the state of the country now with what it was thirty or forty years ago, there is a great, a visible, and a general improvement, and that improvement is calculated to inspire a reasonable hope that in the course of time that progress will be accelerated and rendered more rapid than it has hitherto been. I imagine that the hon. Member who made this Motion will not think it necessary to divide upon it. I think the debate which has taken place must satisfy him of the feeling both of the House and of the Government on this question, and probably he will rest satisfied with having elicited opinions which in many respects coincide with those temperate views which he has himself expressed. If the hon. and gallant Member (Colonel Dunne) or any other Member should propose to re-appoint the Committee of last year, with a view to a more extensive range of inquiry, we shall be ready to consider such a proposal. Of course, our adoption of it will depend upon the wording of the reference; but we shall consider such a proposal with an earnest desire to find in it some way of remedying the existing evils, or, I should rather say, of assisting Ireland in extricating herself from the condition in which she is, too truly, I fear, represented by many persons as now being.

Lord JOHN MANNERS said, he had heard the concluding words of the noble Lord with great pleasure, and hoped the House might infer therefrom that the Government acceded to the proposal made by his hon. Friend (Sir Stafford Northcote). If this was so, he could only hope that the hon. Member (Mr. Hennessy) would be satisfied with the peaceable victory he had gained, not over the Government, but by a debate which, during its progress, acted upon Gentlemen who had assembled to hear it without the least reference to party, and with the sole object of devising some means of remedying evils which all acknowledged and which all deplored. He hoped that the hon. Gentleman would not press the Motion to a division.

Mr. HENNESSY asked whether the noble Viscount accepted the interpretation just put upon his speech by the noble Lord, and whether the Government would consent to the re-appointment of the Committee on Irish Taxation with the addition of such an order of reference as was described by the hon. Baronet the Member for Stamford.

Viscount PALMERSTON: What I meant to say was that if any hon. Member would propose the re-appointment of the Committee and would state the order of reference proposed, we should look at such a Motion with a strong disposition and desire to adopt anything which, while it did not commit the Government to any pecuniary obligations, held out the prospect of devising means likely to improve the condition of Ireland.

Mr. HENNESSY did not clearly understand, from what the noble Viscount had just said, that Her Majesty's Government would agree to the proposal; and therefore he must divide.

Question "That the words proposed to be left out stand part of the Question," put.

The House *divided*:—Ayes 107; Noes 31: Majority 76.

Main Question put, and *agreed to*.

AYES.

Angerstein, W.
Antrobus, E.
Ayrton, A. S.
Baring, T. G.
Baxter, W. E.
Bazley, T.
Beaumont, W. B.
Beaumont, S. A.
Bentinck, G. W. P.
Black, A.
Blackburn, P.
Bonham-Carter, J.
Boyle, hon. G. F.
Briscoe, J. I.
Bruce, rt. hon. H. A.
Buxton, C.
Caird, J.
Cardwell, rt. hon. E.
Childers, H. C. E.
Clifford, C. C.
Clifton. Sir R. J.
Clive, G.
Collier, Sir R. P.
Cowper, rt. hon. W. F.
Crawford, R. W.
Dalglish, R.
Davey, R.
Denman, hon. G.
Dodson, J. G.
Douglas, Sir C.
Duff, Mount. E. G.
Dunbar, Sir W.
Dunlop, A. M.
Enfield, Viscount
Ewing, H. E. C.
Fane, Colonel J. W.
Fitzroy, Lord F. J.
Foley, H. W.
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W.
Goschen, G. J.
Grey, rt. hon. Sir G.
Gurdon, B.
Gurney, S.
Hankey, T.
Hartington, Marquess of
Hervey, Lord A.
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Howes, E.
Hutt, rt. hon. W.
Ingham, R.
Johnstone, Sir J.
Kinnaird, hon. A. F.
Lacon, Sir E.
Layard, A. H.
Lefevre, G. J. S.
Lefroy, A.
Lee, W.
Lowe, rt. hon. R.
Miller, T. J.
Moncreiff, rt. hon. J.
Morris, W.
Mundy, W.
Padmore, R.
Paget, C.
Paget, Lord C.
Palmer, Sir R.
Palmerston, Visct.
Peacocke, G. M. W.
Peel, rt. hon. Sir R.
Peel, rt. hon. F.
Peel, J.
Peto, Sir S. M.
Pilkington, J.
Potter, E.
Pritchard, J.
Ridley, Sir M. W.
Roebuck, J. A.
Russell, A.
Russell, Sir W.
Schneider, H. W.
Scourfield, J. H.
Selwyn, C. J.
Seymour, H. D.
Seymour, A.
Smith, A.
Smith, J. A.
Stansfeld, J.
Steel, J.
Stuart, Lieut.-Col. W.
Sykes, Colonel W. H.
Tite, W.
Tollemache, J.
Tracy, hon. C. R. D. H.
Villiers, rt. hon. C. P.
Vivian, H. H.
Waldegrave-Leslie, hon. G.
Walsh, Sir J.
Warner, E.
White, hon. L.
Williamson, Sir H.
Winnington, Sir T. E.
Wood, rt. hon. Sir C.
Wyld, J.
Yorke, J. R.

TELLERS.

Brand, hon. H. B. W.
Knatchbull-Hugessen, E.

NOES.

Annesley, Col. hon. H.
Beamish, F. B.
Blake, J. A.
Bowyer, Sir G.
Cecil, Lord R.
Courtenay, Lord
Cox, W.
Damer, S. D.
Doulton, F.
Dunne, Colonel
Fleming, T. W.
Gavin, Major
George, J.
Gregory, W. H.
Greville, Colonel F.
Hassard, M.
Leader, N. P.
Lennox, Lord G. G.
Lever, J. O.
Longfield, R.
MacEvoy, E.
Moor, H.
Murphy, N. D.
Neate, C.
O'Brien, Sir P.
O'Reilly, M. W.
Pollard-Urquhart, W.
Russell, F. W.
Sturt, Lt.-Col. N.
Tottenham, Lt.-Col. C. G.
Watkin, E. W.

TELLERS.
Hennessy, J. P.
Long, W.

SUPPLY.

Supply *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Wednesday.*

INNS OF COURT BILL.

LEAVE. FIRST READING.

Sir GEORGE BOWYER, in moving for leave to bring in a Bill to enable the Benchers of the Inns of Court to appoint Judicial Committees in certain cases, and to give the necessary powers to such Committees, said this Bill was in substance, with two exceptions, similar to the Bill he introduced last year. The first of those exceptions was that he made this Bill permissive; the effect of which would be that the Benchers of the Inns of Court would form a sort of grand jury, and would decide whether the particular case ought to go before the Judicial Committee or not. The other alteration was that he now omitted the last clause of the Bill, which enabled the person charged with any offence to give the go-by to the Benchers of the Inn of Court to which he belonged, and to go at once before the Judges. He proposed to give ample time for the discussion of the Bill, and he believed, from rumours he had heard, that there was rather a change of opinion among the former opponents of the Bill.

Motion *agreed to.*

Bill to enable the Benchers of the Inns of Court to appoint Judicial Committees in certain cases, and to give the necessary powers to such Committees, *ordered* to be brought in by Sir George Bowyer and Mr. Hennessy.

Bill *presented,* and read 1°. [Bill 44.]

AGRICULTURAL PARISHES.—MOTION FOR RETURNS.

Mr. KNIGHT moved, according to notice, that there be laid before the House—

"Returns showing the names of the 821 Agricultural Parishes stated as having decreased in houses and increased in population between 1851 and 1861, and the counties in which such parishes are situated:

"Showing the number of Inhabitants and Inhabited Houses in each of the said parishes in each Census from 1801 to 1861:

"And, showing what Manufactures or Mines, if any, are carried on or worked in each of the said parishes if the Census contains such information."

He considered such a Return would be of great service in considering a very important measure proposed to be carried.

Mr. C. P. VILLIERS said, the first part of the Return moved for by the hon. Gentleman had reference to a statement which he (Mr. Villiers) had recently made in moving for the appointment of a Committee to consider the condition of the irremovable poor, as to the decrease in the houses and increase of the population of 821 agricultural parishes. That statement was made not upon the authority of the Census, but from a report upon which he could place the utmost reliance. As to the latter part of the Motion, there was no particular faculty in the Poor Law Board for furnishing information any more than existed in any other public Department, and it would be most inconvenient for the Poor Law Board to have such an amount of work imposed upon it as the hon. Gentleman proposed by his Motion.

Return *ordered,* "showing the names of the 821 Agricultural Parishes stated as having decreased in houses and increased in population between 1851 and 1861, and the counties in which such parishes are situated."—(*Mr. Knight.*)

Mr. KNIGHT then moved for the production of the concluding portion of the Returns. He was very sorry that the right hon. Gentleman had refused the Return when so important a measure was being brought forward; and, in fact, the refusal at such a time appeared rather suspicious, and made one doubt that if produced the Returns would bear out the inferences drawn from them. When he was on the Irremovable Poor Committee the right hon. Gentleman was the Chairman, and many of his witnesses stated that cottages had been pulled down in certain close parishes. He insisted upon the names of those parishes being given, in which the Committee supported him, and he was then enabled to give evidence which upset the statement of the right hon. Gentleman's witnesses altogether. The right hon. Gentleman was exceedingly vexed by their testimony, and refused to have the evidence printed; but on application being made to him, the Speaker, with his usual courtesy, ordered it to be printed.

Motion made, and Question proposed,

"That there be laid before this House, Returns showing the number of Inhabitants and Inhabited Houses in each of the 821 Agricultural Parishes stated as having decreased in houses and increased in population between 1851 and 1861, in each Census from 1801 to 1861:

And, showing what Manufactures or Mines, if any, are carried on or worked in each of the said parishes, if the Census contains such information." —(*Mr. Knight.*)

Mr. C. P. VILLIERS observed, that he had not called any witnesses on the occasion referred to by the hon. Gentleman, whose version of what had occurred in the Committee-room was not correct. His great objection to producing the Returns was on the ground of the expense.

Mr. KNIGHT said, he should divide the House upon the Motion.

Mr. C. P. VILLIERS said, that if the hon. Gentleman would postpone his Motion for a day or two he should make inquiries as to whether the figures he wished for were in the Poor Law Office.

Mr. KNIGHT consented, under these circumstances, to postpone his Motion.

Debate *adjourned* till *To-morrow.*

House adjourned at a quarter after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, February 28, 1865.

MINUTES.]—Public Bill—*Second Reading*— Civil Bill Courts Procedure (Ireland) Act (1864) Amendment* (16) (Committee *negatived*).

Their Lordships met: And having gone through the Business on the Paper, without Debate,

House adjourned at a quarter past Five o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, February 28, 1865.

MINUTES.]—Select Committee—On Education *appointed* (*List of Committee*, p. 926).

Mr. Knight

METROPOLITAN SEWAGE AND ESSEX RECLAMATION BILL—(*by Order*).

SECOND READING.

Order for Second Reading read.

Sir WILLIAM RUSSELL, in moving that the Bill be now read a second time, said, that the Committee which sat last year on the sewage question received a large amount of evidence, and several schemes were brought under their notice. He (Sir William Russell) sat upon that Committee, and after carefully investigating the whole subject, the conviction at which he arrived was that the only practical scheme was the one which proposed to utilize the sewage of the metropolis by by gravitation alone. There were other schemes, some of which suggested pumping, others the use of tanks; but the evidence tended to show that wherever pumps had been used, even to a small degree, the expenses had been so enormous that they had to abandon this plan and ultimately resort to gravitation. At Croydon they lost £10,000 by the use of tanks and other means, and at last had to resort to gravitation. In his opinion, the only practical scheme before them was the one sanctioned by the Metropolitan Board of Works; and believing this he appeared in this House to advocate the adoption of the present Bill. He could not but believe that every Member of the House was fully impressed with the local and national importance of this question. It was locally important because it had become necessary for the health of the metropolis that some measures should be taken for removing from the Thames, and, if possible, for utilizing the sewage. Formerly it used to pass into the river in different parts and in small quantities, and it was even then very injurious; but it was now still more injurious, because it had all been concentrated at Barking. After having spent vast sums of money in connection with this question, the Metropolitan Board had now brought the sewage down to Barking, and unless steps were taken to carry it on from there, and, if possible, to utilize it, there would be great danger and injury to the metropolis. There should be no delay, it was absolutely necessary that whatever steps were taken should be taken at once. He could not commend too highly the noble Lord who presided over the Committee of last year (Lord Robert Montagu) for the part he had taken and for the Bill he had introduced to deal with the general subject of the pollution of rivers. The metropolis and the Thames, however, formed a distinct case from that of other parts of the country. In other districts they had the proper points of outfall to determine, the rights of fisheries, and numerous other questions to consider; but with the metropolis they had a result arrived at, and this was the natural and necessary corollary to it. The Metropolitan Board, with the concurrence of the City of London, had deposited the whole of the sewage at Barking, and from there it was absolutely necessary that it should be removed. The considerations involved in any country case did not, therefore, arise in the consideration of the metropolis. In judging of this question there were three points to which he wished to direct the attention of the House, and these were the primary principles which should be kept in view in dealing with the sewage of the metropolis. The first point was to divert the sewage from the Thames; the second was to render it innocuous by its application to growing crops; and the third was, how they were to realize the greatest amount of money for the ratepayers of the metropolis, and as compensation for the risk of those who undertook the experiment. He believed no one disputed the necessity of the first two points. The scheme now before the House proposed to fulfil all three requirements, to remove the sewage from the Thames, not at any cost to the inhabitants of the metropolis, but it was proposed that they should receive half of any profits that might arise. If the scheme were not a profitable one for the promoters, at any rate the inhabitants of the metropolis would be gainers, for one thing was certain—that the sewage, after it had once left the Thames, could never return; it was carried away forty miles, and then sent into the sea if it could not be made profitable. That, he considered, must fulfil the first requirement. He hoped they would, however, see it used most profitably on its journey. When, therefore, the inhabitants of the metropolis were told that the sewage would be carried forty miles away and the Thames effectually purified, and that this was not to be done at their cost, and that if there was any profit they were to receive one-half, he thought they must see the advantage of this scheme. With regard to the second point, as to rendering it innocuous by utilizing it on growing crops, the scheme now before the House proposed to make a number of openings in the large culvert by which it would be carried down to Barking, to enable farmers, if willing to take the sewage, to obtain it. This plan would command an area of 80,000 acres, and farmers would be able to receive it in those seasons when it would be most profitable to them. The great difficulty of the question was in dealing with the everyday supply of the other seasons of the year to utilize that and make that profitable—for the House must remember that as there were 10,000,000 cubic feet of liquid passing down the ten-foot culvert every day, provision must be made for it at all times, and during the winter when the farmers were unable or unwilling to receive it. Moreover, during wet weather, when the farmers were unwilling to receive it, the supply was the largest, and it was absolutely necessary to find means to utilize it during these times. This scheme proposed a means of utilizing it to a profit during that period; and that was by employing it in converting 8,000 acres of sea sand into grass land similar to the Craigentinny meadows near Edinburgh. About the necessity of the first two requirements there was no dispute—and this scheme, he believed, fully satisfied both these—and the only point was the third one, as to how they were to realize the greatest possible money value. There were two methods proposed. The one proposed by the scheme now before the House, and the other a scheme for pumping to Hampstead, Highgate, and Harrow, and from there using the hose-and-jet system over a large area—500,000 acres—which scheme was supported by the authorities of the City of London. Both these schemes were before the Committee of last year, and they were most carefully investigated; and he thought it was pretty clearly shown to that Committee that wherever the hose-and-jet and pumping systems had been used it had been found so enormously expensive that it had been abandoned. The late Duke of Northumberland tried it, and had to abandon the scheme because of its great expense. At Croydon they found the gravitation system the only profitable one, and they are now realizing a large return by adopting that principle. The country traversed by the culvert proposed in this scheme was much more suitable for the purpose than that selected by the scheme of the City of London. There would be strong objections in thickly-populated districts like Hampstead and Harrow, to make the open ground there a receptacle for the sewage; and it was only in a thinly-populated district like Essex that it could be used without exciting opposition. The question now was whether the largest possible sum could be obtained by the plan before the House. He himself believed that it was the only plan which would realize anything whatever. His hon. Friend the Member for the City (Mr. Crawford) proposed that the Bill should be postponed for six weeks in order to obtain further information on the subject; but he (Sir William Russell) would remind the House that there had been five Committees, two Royal Commissions, and twenty-seven other inquiries on this subject, producing an amount of evidence which filled ten large blue-books and forty odd pamphlets, published under authority. The Metropolitan Board of Works had been considering the subject for years, and they had come to an almost unanimous decision in favour of this scheme. If the House delayed this Bill for six weeks it would be virtually throwing over the subject for another year. He hoped, therefore, that the House would send the Bill to a Committee upstairs, where the scientific and other evidence on the subject could be fully investigated.

Mr. DOULTON seconded the Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir William Russell.*)

Mr. CRAWFORD said, he had been requested by the Corporation of the City of London, by the ratepayers of several wards and parishes in the City, and also by several ratepayers without the City, to move that the second reading of this Bill be postponed with special reference to the inquiry of the Committee to be proposed by the noble Lord the Member for Huntingdon (Lord Robert Montagu). This was not a question of contention between the Board of Works and the City of London, as had been alleged, for he believed the opposition to the Bill at its present stage would receive the support of several representatives of metropolitan constituencies. He hoped the House would consider that this was a question on which differences of opinion might fairly exist, and which might be reasonably discussed, without supposing that private influences or private feelings actuated either the City of London or the Metropolitan Board of Works in the matter. The hon. Gentleman who moved the second reading of the Bill (Sir William Russell) deprecated the practice of intercepting Private Bills on the second reading; but he (Mr. Crawford) believed the House would not part with the opportunity of discussing important principles which might be involved in Private Bills. There were many inconveniences attending an inquiry of this kind before a Private Bill Committee. In the first place, the conduct of the business before the Committee was almost entirely in the hands of professional gentlemen, whose object was, not to elicit the truth, but to achieve a victory for the party for whom they were retained. He apprehended, under those circumstances, that where matters involved important principles that House and not a Select Committee was the tribunal by which the decision should be pronounced. His hon. Friend said that the question of metropolitan sewage and the plan of Messrs. Hope and Napier had already been sufficiently discussed. Upon that point various differences of opinion existed, and he was told that one authority of the highest eminence in all matters of agricultural chemistry—Baron Liebeg — had declared that the scheme of Messrs. Hope and Napier was visionary, and that it could not be attended with any profitable result, and the readers of *The Standard* of yesterday would be aware of a second letter from that eminent man enforcing the same point. It was under these circumstances that he asked the House to refer the examination of the principle which this Bill involved, not to four Gentlemen selected because they were supposed not to have any special acquaintance with or interest in the subject, but to such a Committee as that which the noble Lord the Member for Huntingdon was shortly to ask the House to appoint, where the whole question could be thoroughly discussed without the interference of gentlemen whose object was to distract the Committee and to achieve a victory for their own side. The course which he asked the House to take was not without precedent. The other night the House refused to read the Liverpool Licensing Bill because it involved an important principle which ought not to be referred to the decision of a Private Committee. Again, in the case of the case of the Wimbledon Enclosure Bill, which involved an important principle relative to the open spaces about the metropolis, the second reading was postponed, and the question referred to the determination of the Committee which was subsequently moved for by the hon. Member for Lambeth (Mr. Doulton). Seeing, therefore, that this question involved consequences of the most momentous character to the ratepayers of the metropolis, and that persons of high authority thought that the value of the sewage of the metropolis was infinitely larger than what was proposed to be given in the Bill, he hoped the House would postpone it in the meantime.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six weeks."—(*Mr. Crawford.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. TITE said, the proposition before the House was whether this Bill should be read a second time and sent to a Committee upstairs, and he should support the Motion. The question of the utilization of the sewage had been long under the consideration of the Board of Works, and in 1862 they had advertized for tenders and begun to consider various plans and schemes; but their action had been interrupted by the inquiries instituted by the House in the Committees of 1863 and 1864. The matter lay in a very small compass. The propositions reported upon by the Committee of the Board were twelve, but they finally culminated into two. One was the suggestion or proposition of Mr. Ellis, and the other was that of Messrs. Hope and Napier. In 1862, the latter gentlemen had taken the pains and gone to the expense of introducing a Bill supporting their system; but Mr. Ellis, he believed, had never taken any steps at all in the matter. The question was a very simple one, but it turned upon very grave and important questions. In the evidence before the Committee they had the most extraordinary differences of opinion. On the one hand it was said that it would require 500,000 or 600,000 acres to utilize the sewage of London, amounting to the enormous quantity of 80,000,000 gallons in the twenty-four hours; a very eminent gentleman on the other side stated that 30,000 acres would be quite sufficient; and the Committee itself, over which the noble Lord opposite presided, shrank from coming to any conclusion. In the meanwhile the Metropolitan Board of Works resolved to judge for themselves, and they appointed a large deputation, which visited Rugby, Croyden, Carlisle, and other places where sewage had been utilised. They found that the most successful utilization of sewage was at Craigentinny meadows, near Edinburgh, where common sea sand, not worth 3*s.* an acre, was now rated at £22. The proposition of Messrs. Hope and Napier involved the enclosing of a very large extent of sand in the ordinary way of embankment, and so to utilize the sewage over that sand. The Metropolitan Board had adopted that scheme, for this reason amongst others, that it would remove the sewage forty miles further down the river, to the ocean; whereas Mr. Ellis proposed to take the sewage at the point where it was to flow into the Thames, and pump it back again to Hampstead and Shooters Hill; and it did appear to the Metropolitan Board that after having spent £4,000,000 in taking the sewage down to the river it would be inconsistent to bring it back again. With regard to the question of the value of the sewage, the Metropolitan Board had secured by an agreement with Messrs. Hope and Napier, after payment of 5 per cent on the outlay, half of whatever profit might accrue from the utilization of the sewage, and there would also be a power of resuming the right conceded; whereas Mr. Ellis proposed that he should have a monopoly of the sewage for an unlimited period in return for half profits. On the question of the value of the sewage very different opinions were entertained. Mr. Rawlinson, one of the principal engineers of the Government, told the Committee point blank that no money value could be obtained from it, and that anybody embarking in a large speculation of that kind would become a bankrupt. He (Mr. Tite) could not say whether Mr. Rawlinson was right or wrong in his opinion, but it appeared to the Metropolitan Board that the experiment might be more reasonably and fairly tried by the adoption of the proposal by Messrs. Hope and Napier than by the adoption of any other scheme, and on that ground they supported the Bill. Notwithstanding the statement of his hon. Friend the Member for the City of London (Mr. Crawford), that it was not a question as between the Corporation of London and the Metropolitan Board of Works, he feared that it was, and the violent way in which the Metropolitan Board had been spoken of was calculated to lead one to think that some jealousy existed in reference to the

Board. However, if the Bill went before a Committee upstairs, that matter would be properly sifted, and the Corporation of London have a *locus standi* to appear before that Committee. If the Bill were postponed six weeks, it was quite clear that nothing would be done this year in reference to sewage. He trusted, therefore, the House would read the Bill a second time, and allow it to be laid before a Select Committee in the usual way.

Mr. CAIRD said, the question before the House, as submitted by his hon. Friend the Member for the City of London (Mr. Crawford), appeared to him to be this—whether the House would put a stop to the only practical scheme that had yet been submitted to any Committee of that House for the profitable and useful disposal of the sewage of the City of London. The Committee which sat last year, presided over by the noble Lord opposite (Lord Robert Montagu) had censured the Metropolitan Board of Works for their inactivity in not taking steps for utilizing the sewage of London, and it was in consequence of the passage which appeared in the Report of that Committee, animadverting on the conduct of the Board of Works in this matter, that that Board at last made great efforts to extend their investigation of this subject, the result of which had been the adoption by them of the measure now before the House. The first question which the House had to consider in connection with the sewage of the metropolis was how they were to get rid of that which had become so dangerous to the health of the people. It had been proved in evidence that, owing to the reflux of the tide and between the action up and down, the whole progress made by the sewage in the course of twenty-four hours towards the sea was but one mile. It thus followed that from London to Gravesend, a distance of about thirty miles, they had thirty days' sewage going backwards and forwards in the Thames; and it became a question of the greatest necessity for the House to consider in what way they could entirely rid the river of that abomination. Now the Bill before the House would remove the sewage of the north side of London, entirely out of the valley of the Thames, and deliver it into the German Ocean at a point where it could no longer prove obnoxious to the inhabitants of the metropolis. As to the question of the value of the sewage, which was of very great importance, whatever different opinions there might be among such eminent chemists as Liebeg, Lawes, and others, on minor points, there was no difference that the value of the ingredients of the sewage of London, as compared with the value of guano, was something under 2*d.* per ton. Mr. Lawes stated that he should be happy to pay 2*d.* a ton for the use of this sewage for his farm, provided he could get it at any time, and only in such quantity as he chose to take it; but that he would not give a half-penny a ton for it if he were obliged to take it at every season of the year, and in quantities far too large for the uses to which he had to apply it. The necessity of having to take it during the heavy rains of winter, when the lands were saturated with moisture, would be an injury instead of being a benefit; and that was the point upon which the difference had arisen as to the value of this article. The preponderance of evidence was in favour of the application of sewage for the production of grass. The most successful application of sewage had been made at a place near Edinburgh referred to by the hon. Member for Bath (Mr. Tite). There were, however, other cases, as at Rugby, where the conclusion arrived at was that to use the sewage profitably it must be supplied at the lowest cost of transmission. It had also been applied at Croydon at the rate of something like 4,000 tons an acre, and the price paid for it was £1 an acre. At Alnwick when the late Duke of Northumberland endeavoured to utilize the sewage, the farmers would not take it. Another point was the necessity of providing for the constant and increasing supply of the sewage of a city like London, which exhibited so vast an increase of population annually. Essex had the advantage of being the only county into which the metropolitan sewage could be carried quite clear of the valley of the Thames until it reached the German Ocean. It was also the least residential county near London, and the sewage might therefore be conveyed and applied with the least injury to the population. Objections had been made to the length of the culvert through which the sewage would have to pass on its way down to the sea. The length, however, appeared to him to be a great advantage. It extended between forty and fifty miles, having on each side of it an extensive area over which by gravitation it would be possible to extend the useful application of the sewage either in small doses or in any other manner found to be most advantageous. He believed that after a few years very little manure would ever reach the other end of the culvert. It appeared to him, without at present expressing any opinion on the Bill, that the proposal of the promoters to deduct 8 per cent for the interest of their money before any part of the profits was divided, was fair and moderate. He wished he could see as good and as useful a scheme proposed for the south side of the Thames as this for the north. He hoped the House would allow the Bill to go before a Committee, so that it might be fully considered on its engineering and financial merits. He could not help bearing his testimony to the valuable services of the noble Lord opposite (Lord Robert Montagu), and the perseverance with which he had conducted this question. If it had not been for the noble Lord's Committee, and the decision to which they had come, the House would not now have before it this useful Bill.

LORD ROBERT MONTAGU said, the real difficulty in the case was this—that they had deputed to two different bodies the performance of one and the same function. It was for this reason that they had only one scheme before them, which they must either accept or reject. They had told the Metropolitan Board of Works that the sewage was theirs to give away; but they had not given them the necessary powers to carry out the works; they had to come to Parliament for these. And it was not worth while for any promoter to go to the expense of making surveys and coming before Parliament, unless the Metropolitan Board had conceded the sewage to him. Consequently the Board had acted as a sieve, and had strained out every promoter and every scheme except one, and they were saying to Messrs. Hope and Napier, "We cannot give you the power to carry out the work, but we will allow no other promoter except you to go before Parliament in order to obtain those powers." The concession of the sewage was in their hands; they had given it to the promoters of this Bill, who had made a survey, and were now before the House. The House, therefore, had no opportunity of choosing any scheme which might be more advantageous to the metropolis. With respect to the rivalry on the part of the City Corporation which had been alluded to, he must express his firm conviction that no such rivalry existed. The object of the hon. Member for the City (Mr. Crawford), as well as of the hon. and learned Member for the Tower Hamlets (Mr. Ayrton), was to consider all schemes for utilizing the sewage of London, so that the ratepayers might receive the greatest value for their manure. How was it that the Metropolitan Board of Works had so pertinaciously fixed on the only scheme which had been placed before the House. This scheme had been quite Protean in its varied aspects. At first it came out as a plan for reclaiming 20,000 acres of quicksands in the German Ocean. It then had for one of its features the utilization of the sewage over 12,000 acres in Essex, before it reached the quicksands. Now the sewage was to be spread over no less than 105,000 acres of good land in Essex; and the hon. Member for Stirling (Mr. Caird) seemed to doubt whether the sewage would ever reach the sands at all; he was of opinion that it would be exhausted on the land before it could arrive at the sea. The reclamation of the sands was therefore now less relied upon than ever. This was certainly a great improvement on the scheme which had before received the sanction of the Board. It had been gradually more and more assimilated to the schemes which had been rejected. But he (Lord Robert Montagu) did not regard the scheme as yet perfect. It would probably appear to the Committee that there were other plans superior to it, and which would bring in a larger income. In the first place the culvert, he thought, was placed too near the river. It was like a coast railway. Besides, the culvert was of enormous length; it would almost reach from London to Hastings. In the second place, it had been admitted by Mr. Thwaites that the sewage could only be utilized upon that land in Essex during five months in the year, and that during seven months of the year it would have to run into the Thames as it did now. This he stated to the Committee in answer to Questions 309 to 325. How was it, then, that the Board of Works had so pertinaciously fixed upon this scheme? The Metropolitan Board had doubtless felt that they would have placed themselves in a very absurd position if, after spending £5,000,000 to take all the sewage of the vast metropolitan area to the east, they had allowed a company to spend £5,000,000 more to conduct it back to the west. He thus accounted for the obstinate support which the Metropolitan Board had always given to a scheme which proposed to take the sewage fifty miles further east—namely, to the Maplin Quicksands, and cared not whether it were utilized on 105,000 acres, or on 12,000 acres, or on no land at all between London and the Quicksands. The sewage of the north side of London ought to have been used on the land on the north side by gravitation; and the sewage of the west in the same way upon the west side. In this way only the sewage of the lowest level would have had to be pumped, and a vast expense would have been saved. He could not, however, admit that the Metropolitan Board had shown any hurry in dealing with this question. So late as 1864 Mr. Thwaites stated in answer to Questions 249, 294, 298, 349, 352, that the Board had not yet considered the value of the sewage which they had to sell, nor the proper extent of area over which it should be utilized; moreover the Board had not up to that time visited a single town where the sewage was utilized. The Board had gone to various towns last November, at the very worst time of year for judging of the effects of the sewage, and had reported that which every one else had known before. He thought it very desirable to send this Bill to a Select Committee, because he believed that some plan might be adopted greatly preferable to the present scheme in a financial point of view.

Mr. AYRTON trusted the hon. Member for the City (Mr. Crawford) would not press his Motion to a division. It was impossible for the House to deal with the question of the sewage of London on that occassion—it had only to consider how it could deal practically with the Bill, and he submitted that it should appoint what was called "a hybrid Committee," some of the Members being selected on account of their special taste for sewage questions, the others being appointed in the ordinary manner of Gentlemen who where perfectly disinterested and impartial. Such a Committee as that he proposed in the Amendment of which he had given notice would form the best possible tribunal to which to refer the subject, and he had no doubt it would arrive at satisfactory results. If they were to have any real practical inquiry, the sooner the better, and he therefore objected to the proposal of the hon. Member (Mr. Crawford) to postpone the second reading for six weeks. Without going into the merits of the question, he trusted the House would adopt, as it had done in other similar cases, the only practical way of working out the subject; and they might then hope to arrive at a conclusion which would be satisfactory.

Mr. Alderman ROSE denied that this was a question between the City of London and the Metropolitan Board of Works, as alleged by the hon. Member for Bath (Mr. Tite). It was a question which concerned the ratepayers, whom the Metropolitan Board had an unlimited power of taxing. It had been alleged by scientific men that this sewage was a most valuable commodity, and the Metropolitan Board, in their wisdom, had taken a great deal of time to determine what was the fit and proper mode of dealing with it. But that deliberation seemed now to be compensated by their excessive hurry in deciding upon a contract which was to shut up this question for a period of fifty years. What he asked for was further inquiry; and that not for the City of London, but for those who were paying £4,000,000 of money to which they had been rated, to carry out a system of drainage now incomplete, inasmuch as the low-level sewer, which was to be the principal channel by which the system was to be carried out, had only just been begun. A short delay, therefore, with respect to a scheme which one of its supporters had stated to be most chimerical would not be unreasonable. [Mr. Caird: I called it a problematical scheme.] Well, then, suppose this problematical scheme were to get half way through—suppose the sewage had been carried half way down to the Maplin Sands, and then they were induced to pump back again a commodity which Baron Liebeg and other great authorities had stated to be so valuable, what would be thought of it? He was of opinion that the House ought to take some time to consider the plan.

Mr. COWPER submitted that the hon. Member for the City of London had not made out such a *primâ facie* case as would induce the House to depart from the ordinary course of referring the Bill to a Committee. Though the hon. Member had only proposed a delay of six weeks, that might be taken to mean six months, and in fact the year would be entirely lost. The matter was one of the most pressing importance. The main sewers would be soon completed, the northern and middle levels might this year pour their contents into Barking Creek, and, therefore, what our existing state of knowledge showed to be best ought to be done at once. In fact, the Metropolitan Board, instead of having pushed the matter too rapidly, had delayed it too long. There was strong *primâ facie* evidence in favour of the Bill. First of all, instead of the sewage being poured out into the river, where it would be returned by the tides, it provided for its being carried much further down—it would, in fact, be conveyed into the German Ocean. And, in the next place, provision was made to prevent waste, because it was proposed to distribute the sewage on the way for agricultural purposes. Whether the proposed method were profitable or not, at all events, the main object, that of removing the sewage from the vicinity of London, would be attained. What the House wanted was, that this matter should be fully and carefully inquired into by a Committee; but as to the details of the measure the House was not called upon to express any opinion. It appeared to him that if the measure proposed by the hon. and learned Member for the Tower Hamlets were adopted, it would exactly meet the views of the House. He hoped that the hon. Member for the City of London would withdraw his opposition on the understanding that the Bill should be referred to a Committee, such as that suggested by the hon. and learned Gentleman.

MR. NORRIS said, that the whole question of the utilization of the sewage was beset with difficulties and uncertainties. There were many plans proposed, and he altogether objected to the House being tied down to the consideration of one plan and no other. He hoped the House would refuse to read the Bill a second time at present.

MR. CRAWFORD said, he would withdraw his Motion on the understanding that the proposition of the hon. Gentleman the Member for the Tower Hamlets should be accepted.

SIR WILLIAM RUSSELL also said, that he was willing to accept it.

Amendment, by leave, *withdrawn*;

Main Question put, and *agreed to*;

Bill read 2°, and *committed* to a Select Committee of Ten, half to be nominated by the House, and half by the Committee of Selection.

Ordered, That it be an Instruction to the Committee on the Bill, to inquire into the most useful and profitable means of disposing of the Metropolitan Sewage on the north side of the Thames. —(*Mr. Ayrton.*)

MILITIA TRAVELLING ALLOWANCES.

QUESTION.

SIR HENRY STRACEY said, he wished to ask the Under Secretary of State for War, Whether the Royal Warrant of 21st November, 1864, giving the Officers of the Army when travelling without troops the following allowances—namely, General Officers, 20*s.*; Field Officers, 15*s.*; and Captains and Subalterns, 10*s.* per diem—applies in like manner to Officers of Militia, no intimation to that effect having yet reached them?

THE MARQUESS OF HARTINGTON said, in reply, that the Warrant referred to by the hon. Baronet did not apply to Militia Officers, whose allowances were fixed according to the Militia Regulations. No Circular issued from the War Office for the government of Officers in the Army applied to Militia Officers unless there was a special direction to that effect.

THE HERRING FISHERY (SCOTLAND.)

QUESTION.

MR. H. BAILLIE said, he would beg to ask the Secretary of State for the Home Department, Whether he had received a communication from Mr. Caird in November last respecting a close time for Herrings in Scotland, and whether any steps have been taken in the matter, and, if so, what steps?

SIR GEORGE GREY, in reply, said, he had received a letter from Mr. Caird as Chairman of the Fishery Commission, and he had communicated with the Lord Advocate, who would give notice of a Bill to carry out the recommendations of the Commission.

THE SLAVE TRADE.—QUESTION.

MR. CAVE said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether the attention of Her Majesty's Government has been drawn to the debate in the Spanish Senate on the 23rd of last month, on the question of declaring the Slave Trade piracy, and whether any Instructions have been sent to Her Majesty's Minister at Madrid on the subject?

MR. LAYARD, in reply, said, the attention of the Government had been called to this debate, and they rejoiced to find that there were Spanish statesmen who were alive to the enormous evils which resulted from the continuance of the slave trade in Cuba, and that these statesmen were willing that some means should be adopted, if possible, to put an end to the slave trade in that island, and check the practice, unfortunately too common in that country, of connivance on the part of the Spanish authorities. The Government had entered into communications with the Spanish Government on the subject.

COURTS OF COMMON LAW (IRELAND.)

QUESTION.

Mr. BUTT said, he wished to ask the Chief Secretary for Ireland, Whether it is intended in the present Session to act on the recommendation of the Common Law and Chancery Commission, by introducing a Bill to amend the practice and procedure of the Irish Courts of Common Law?

Sir ROBERT PEEL said, in reply, that at present the Government had two Law Bills—one in the Lords and the other in this House—and it would not be convenient to introduce a third measure at the present moment.

EDUCATION—

MOTION FOR A SELECT COMMITTEE.

Sir JOHN PAKINGTON: Sir, I rise to move, pursuant to notice, for a Select Committee to inquire into the Constitution of the Committee of Council on Education, and the system under which the business of the office is conducted. I feel bound to renew in the present Session the Motion I made last year, in the shape of an Amendment to a Motion for another Committee, and again to make an appeal to the Government and the House whether the time has not arrived, when they ought to consider the present constitution of the Committee of Council on Education, and whether it is such as to enable it satisfactorily to discharge the important duties devolving upon it. In making this Motion, I think it only respectful to the House to state what are the objects which I have in view, and what objects I have not in view. Neither in the observations I now address to the House, nor in the proceedings before the Committee I propose to appoint, have I any desire to re-open the questions of the Revised Code, or of the Inspectors' Reports, or of the Endowment Minute, or any other of the various matters connected with the education of the people, which have from time to time been the subjects of discussion and debate in this House. I have two objects in view, and two only. The first is such a re-organization of the Department intrusted with the superintendence of the education of the people, as may make it better adapted than it is now for the important functions it has to perform. My second object is, that this Department, if it is to be re-organized — as I trust it is — will be so constituted as to carry out that which now it does not even attempt—namely, to extend the assistance now given for educational purposes, which goes now only to the more favoured and more wealthy districts which now enjoy the benefits of national aid, to the whole of England. I am not aware that there has ever been, in the whole range of our system of government, any Department of the State at all organized on such principles, and in such a manner as this Committee of Council on Education now is. In my opinion, the organization of that Department is so defective, both in principle and theory, that it is open to very grave objections, and that it cannot possibly act with that degree of efficiency, and, above all, with that sense of responsibility, which we have a right to expect in every Department of the Executive. It is very true that at present we have three Departments governed by what are called "Boards." Wisely, we have lately got rid of a fourth Board, namely, the Board of Control—but we have a Board of Admiralty, a Board of Trade, and a Poor Law Board. Not one, however, of those Boards —whether they are in themselves good or not—not one of them affords any precedent for such an establishment as the Committee of Council on Education. The Board of Admiralty has a responsible Minister at its head, and although the Board acts as a Board, every member of it is charged with some duty immediately connected with the Department to which he belongs; he is not, as we find in the Committee of Council of Education, a Member of the Government, charged with other most important duties of a totally different character. So with regard to the Board of Trade; the constitution of that Board has been frequently objected to, and was considered rather as a warning to be avoided, than an example to be followed. We see in this House, for instance, the President and the Vice President of the Board, sitting side by side, equal in rank, equal in salary; and I am not aware of any difference between them, except that one occasionally speaks and the other never does. But the Board of Trade, although open to great objection in being conducted by two Members of the Government of equal rank, still is not open to those objections which attach to the conduct of a great public Department by means of a Board. I remember that in the Committee which inquired into the constitution of the War Department, the late Sir James Graham said that the only manner in which you could manage a Board successfully, was to make it as unlike a Board as possible; and in the Board of Trade, although I believe there are high officers of State members of that body they never take any part in the conduct of its business. So with regard to the Poor Law Board, we have that Department extremely well conducted. And why? Because the business of that office is intrusted to the sole management of a single Minister, the President of the Board—he is not encumbered by the assistance of a Vice President on an equal footing with himself; and although in that office, as in the Board of Trade, there are certain high officers of State who are theoretically members of the Board, they never interfere with the President, or take any part in Poor Law business. Therefore the Poor Law Board forms no precedent for the manner in which the Education Department is conducted, and it is practically, though not theoretically free from the objections I have stated. In the year 1856 Lord Granville, who was then, as he is now, President of the Council, acceded in a manner which was highly appreciated by myself and others, to a wish repeatedly expressed in this House that the management of the public education should be intrusted to some Minister specially responsible for that Department; and he introduced a Bill to create the Education Department as we now find it. But I beg to state that when Lord Granville, in 1856, created the Education Department in the shape in which it now stands, he by no means met the wishes either of myself or, I believe, of other Gentlemen who urged the appointment of an Education Minister. The object I for one had in view in urging that appointment, and the object also, I believe of others, was that the great duty of superintending the various branches connected with the Department of Education should be intrusted to some one responsible Minister—some Minister who should be regarded as a State officer of high authority, who should have the sole conduct of that Department, and solely responsible, who should devote his time and energy to its duties, and who should himself be a member of the Cabinet. That was the intention, I believe, of all those who at the time advocated the appointment of a Minister of Education, and we did not by any means contemplate that that object would be gained by an arrangement so unsatisfactory as, I venture to think, is the mere addition of another officer of the Privy Council to the Department as it already existed. And here let me remind the House who are the parties that constitute the Committee of Council on Education. They are the Lord President, the Lord Privy Seal, the First Lord of the Admiralty, the First Lord of the Treasury, the Foreign Secretary, the President of the Poor Law Board, the Chancellor of the Exchequer, and the Vice President of the Committee. Now I do not wish to speak with any disrespect of those high functionaries, but it appears to me nothing less than absurd to suppose that statesmen intrusted with these offices can have time and leisure to give assistance—which assistance ought not to be required—to those who fill the office of President and Vice President of the Committee of Council. In this case it is not the fact, as in the Poor Law Board and the Board of Trade, that these statesmen are merely nominally members of the Committee of Council, and that they never attended its sittings. On the contrary, we see from time to time in the newspapers that they do attend, that they do come down to the Education Office to take part in the proceedings; and if my memory does not deceive me, the day is not long past on which, when it was supposed that a very important practical question was at issue, the Chancellor of the Exchequer and the First Lord of the Admiralty did come down to assist in the deliberations of the Committee. [The CHANCELLOR of the EXCHEQUER: The First Lord of the Treasury was present.] I mention the name of the First Lord of the Admiralty advisedly, and I do not remember the First Lord of the Treasury being present. Now, I have some experience of the office of First Lord of the Admiralty, and I have reason to believe that the duties of that office are sufficient to occupy all his time without taking any part in the deliberations of any other Board. Of course, in all Departments of the State there will arise questions of gravity with regard to which the Cabinet will have to give advice and to exercise control; but I cannot think that it is desirable there should be this description of Cabinet within the Cabinet, the only practical result of which, in my opinion, is to remove the responsibility under which that Department of the State ought to be conducted. With these views, it is a satisfaction to me to find that I by no means stand alone in my opinion. When Lord Granville introduced the Bill of 1856 a debate arose on the second reading in the House of Lords, and some of the most eminent statesmen of all parties in that House stated upon that occasion their strong and decided objections to the plan adopted in the Bill. I always thought, and I still think, that the Government of 1856 made a very great mistake in not availing themselves of the opportunity of placing the Department of Education on an entirely new and more appropriate footing. Will the House allow me to repeat the language then used by Lord Derby? The noble Earl said—

> "If the time had arrived for charging a responsible Minister with the duties of instruction, it appeared to him well worthy of consideration, whether it would not be well to supersede the Privy Council altogether in this matter, and to have a Minister as the head of a Department who should have no other duties to perform, and who should be, in fact, responsible for the education of the people."—[3 *Hansard,* cxl. 815.]

Lord Ellenborough spoke exactly in the same sense. He said—

> "If they wished to have a Department well conducted they should rather place it in the hands of one than of two ministers, however able; and he certainly did hope that this Bill was intended to delegate all the duties connected with Education substantially to the one officer who was to represent the Board in the House of Commons. It was quite enough work for one man, and that work would never be well done until it was confided to one man only."—[3 *Hansard,* cxl. 819.]

Earl Grey expressed a similar opinion. He deprecated the constitution of the Committee of Council; he deprecated the dividing of the responsibility between the President, the Vice President, and a number of other officers of State, who could not be supposed to have leisure to take any active part in the duties of an office which more, almost, than any other was devoted to matters of detail that required constant attention to enable any man to be conversant with them. Lord Monteagle spoke strongly in the same sense. When the Bill came down to this House there was not much discussion; but the Chancellor of the Exchequer took occasion to make a speech in which he expressed similar views to those of Lord Derby and the other Members of the House of Lords to whom I have referred. The purport of his language was that the proposed constitution of the Education Department was, to a certain extent, analogous to that of the Board of Trade; that so far as it resembled that Board it was bad, and was following one of the worst constituted Departments of the State. While these objections were stated by men of eminence on constitutional grounds to the method on which the education was formed, let me call attention to the practical opinion of the man who perhaps more than any other must be regarded as a good judge of the working of the Department—I mean Mr. Lingen, who has for many years been the most active and able Secretary of the Department. He gave his evidence before the Commission of which the late lamented Duke of Newcastle was the head. He said—

> "I think that if you were to follow out the present system, with its local and denominational subdivision, and with its detailed appropriations, it would break down at its centre unless you provided a much greater establishment than either Parliament or the country would be willing in the long run to agree to."

Mr. Chester, another high authority, gave evidence to the same effect before the Commission. With this weight of authority against the present constitution of the Board, I know of no authority upon the other side, and I am not aware of any answer that can be made to these objections. The only answer I ever heard was that this Committee of Council was never intended to superintend the whole education of the country. I remember Lord John Russell stating in this House, when the Committee of Council was established in 1839—at a time when the annual Vote for education did not exceed £30,000—I remember Lord John Russell stating upon that occasion that it was not intended the Council should superintend the whole education of the country. But I must decline to accept such a statement as that as an authority at the present moment. It is too late to meet objections to the constitution of the Department by saying it is not intended to educate the whole of the country. I say that it ought to be so intended; and it is now too late to give any such answer. We are now every year voting a very large sum of money—not less than from £700,000 to £800,000—for the education of the people; and I think no one will contend that, raised as that sum is from taxes paid by all parts of the country, it ought to be expended for the benefit of one portion only. I contend that it is the duty of the Education Department to consider that they are acting for the whole country, and that they ought to endeavour to extend education to the whole country. And if Mr. Lingen is right—and I believe him to be right—that the Department, constituted as it now is, must be held to be unequal to that duty, Mr. Lingen furnishes me with the strongest possible argument to prove that the present constitution of the Department is defective and insufficient. But, if the constitution of the Department is theoretically objectionable, do we find that in the practical working of it there is anything to reconcile us to its theoretical defects? On the contrary, without intending in the slightest degree to make any objection to the manner in which different right hon. Gentlemen have fulfilled the duties of the office, I must say I think there has been something in the way in which the business has been conducted that renders it very desirable that some change should be introduced. I think it is impossible to deny that throughout the length and breadth of the country a feeling of great dissatisfaction and distrust has arisen with regard to the mode in which the Department is administered. I remember having said last year, and I now repeat, that those complaints have arisen not so much from any fault on the part of the Ministers who have held office in the Department as from the defective constitution of the Department itself. As one illustration of the unsatisfactory working of the Department, I will refer to what took place in the case of the Revised Code. I do not mean to enter into a discussion of the Revised Code. I believe that like most other Codes it contained a good deal to be approved of and a good deal that was objectionable. But I allude to it now as an illustration of the working of the Department. I believe that a very general suspicion exists in the public mind—and I must confess that I share in that suspicion—that the Revised Code was not framed so much with a view to improve or extend the education of the people as with a view to diminish the amount of the annual grant. And I find that it succeeded in that object. In the year 1862 the grant amounted to £840,000; it was reduced in the following year to £800,000; and last year it was only £705,000; showing a reduction of nearly £140,000 in the course of the three years. I am not an advocate of any lavish expenditure of the money voted by the House for the promotion of education; but I have always felt persuaded that we must have extravagant expenditure more or less so long as the Department is centralized as this is, for the centralization of a Department is sure to lead to more or less of extravagance. I will not enter into an examination of the question whether that £140,000 has been saved judiciously and without injury to the education of the people—if it has been, I admit that it ought to have been saved—but I deny that you ought to have diminished the grant; on the contrary, I maintain that so long as you have a large portion of the people deriving no benefit from the money voted by the House for the promotion of education, your duty was to have expended those £140,000 in the neglected districts of the country. I will give another illustration of the working of the Committee of Council derived from that much disputed subject—the "conscience clause." My opinions upon that subject are well known, and I am not now about to enter into any discussion as to whether the conscience clause was or was not a good enactment. But every one, whether he approves of the clause or not, will admit that it was founded on a principle of the greatest importance; and I must say that I think the Education Department would have done better if, before they proceeded to enforce that clause on the managers of schools, they had submitted it to Parliament, and taken the opinion of Parliament upon the subject. I do not say there was any intention of doing wrong by the manner in which the clause was adopted and acted upon; but I think that it was a very serious mistake to adopt it without consulting Parliament; and I will go further and say that my firm opinion is that if there had been a real, responsible, sole Minister at the head of the Department, he would never have brought that conscience clause into operation in the manner that has been done. I would say the same thing with regard to the Endowment Minute—also a matter of the first importance. I will not now discuss that subject—my right hon. Friend near me, will, I believe, soon give us an opportunity of considering it. But surely no responsible Minister would ever have introduced so great a change as that in the manner in which it was done—a change affecting not less than between 28,000 and 29,000 educational endowments, large and small, spread over the country. By a Minute of only seven words, laid in silence upon the table of the House, a change was made in the manner in which education was assisted in connection with that vast number of endowments. It is very true that during one month it was competent to any hon. Member of this House to raise objections to that Minute; but I say that is not the way in which a public Department ought to effect so great a change; and I believe that if there had been a responsible Minister he would have introduced it in a very different and a far more public manner. The last instance I will give of what I regard as the defective working of this most objectionably constituted Department relates to that large portion of the country which is now unassisted by our public grants. And here I beg leave to thank the right hon. Gentleman opposite the Vice President of the Committee of Council for the statement he introduced into the Report of the Committee last year with regard to the number of unassisted parishes. When I say I thank the right hon. Gentleman I am bound to add that, under the present constitution of the Committee of Council, I cannot feel sure whom I ought to thank or whom I ought to blame for anything; and it is only by inference I presume I am to thank the right hon. Gentleman for that very valuable information. I attribute it to him because it appears in the first Report that bears his signature, and because we had not before been furnished with any intelligence of the same description. It is a statement which divides the parishes of England into four groups, the first comprising parishes with a population of above 5,000; the second, parishes with a population between 1,000 and 5,000; the third, parishes with a population between 500 and 1,000; and the fourth, parishes with a population under 500. I find that in the first of these groups there are 53 unassisted parishes; in the second, 1,006; in the third, 1,969; and in the fourth, 7,996; the general result being that out of this whole 15,000 parishes in England there are not less than 11,024 receiving no advantage whatever from the large grants annually made by Parliament for the promotion of education. I cannot ascertain, with equal accuracy, what is the population of this large majority of our parishes. I am ready to admit that that majority of parishes contains a considerable minority of the population. The only way in which I can come to any conclusion in the matter is by dividing the aggregate population of each group by the number of the parishes—of course, I can in that way only arrive at an approximation; but the result is, that there are 6,000,000 of people in these 11,000 parishes who derive no benefit whatever from our annual Votes for education. Surely this shows a state of things which requires some attention from this House, and that the Department is such as gives us no confidence that they can carry out the education of the whole country. I think we have lately had a remarkable proof of this fact, for within the last few days the right hon. Gentleman opposite has laid on the table of the House a new Minute proposing to enable combinations of two and not more than six parishes, having small schools near to each other, to have a certificated teacher between them. But to whom are we indebted for this proposal? Why, we are indebted for it to the public suggestion of a well-known and most benevolent lady, Miss Burdett Coutts. All honour to Miss Burdett Coutts for the suggestion she has made, which only adds another to the long list of her noble deeds. I feel much obliged to her for it; but what are we to say for the Committee of Privy Council? What are we to say for the Education Department, which has been slumbering in inaction for the last twenty-six years, leaving all this large district of England to take care of itself? At last it occurred to them to do something for these neglected districts; but, after all, the scheme was not one of their own discovery—it was suggested to them by this benevolent lady that in this way they might do something to deal with the neglected districts. I think I could not adduce a stronger proof of the necessity of some reform, in order to make the Department effective for the objects for which it was instituted. In the Report to which I have referred, it is stated with something like *naive* simplicity that they have no power to combine parishes. With regard to the merits of Miss Burdett Coutts's suggestion, I think there are localities in which it may be a very available plan; but I own I think a far more valuable plan, if carried out, would be to group parishes together which had no good school. It would, no doubt, be a question of the area of these parishes. In some cases, perhaps, Miss Burdett Coutts's plan would be best; in others, combining two or three parishes for one school would, perhaps, be more effective. But the right hon. Gentleman says he has no power to combine these parishes. I am quite aware he has no power to combine parishes; but why has he not? I say if you had a vigorous and effective Minister at the head of the Department, he would have sought and obtained the power to combine these parishes years and years ago; and it ought not to have been left to the right hon. Gentleman to complain that he has not power to combine parishes for this purpose. If you had resorted to local action or done anything in the direction of the Royal Commission, you would not have had to put this paragraph in the Report—that you have no power to combine these parishes. Before sitting down I wish for a moment to allude to the Amendment of my hon. Friend the Member for Berkshire (Mr. Walter), who intends to move an addition to the Motion with which I shall conclude. I am bound to say I think there are very few, if any, Members of this House who are better entitled to an active part in this interesting subject of education than my hon. Friend the Member for Berkshire; and if it had not been that I was aware of his intention this Session to move for a Committee to consider the subject of the proposed Amendment I should myself have included it in my Motion in terms nearly identical with those used by my hon. Friend. But when I found he intended to introduce the subject, and when he intimated to me at the beginning of the Session that he wished to move the words not as a separate Motion but in the shape of an Amendment, I gave my distinct assent to the addition which he proposed to make. But I trust he will understand, and the House will understand, that in assenting to that addition I do so in the full sense of the words, and not with any intention or view of carrying out any one particular plan, but with the desire that the Committee may consider any mode by which that most desirable object of "extending the benefits of Government inspection and the Parliamentary grant to schools at present unassisted by the State" may be carried into effect. I trust the Government will agree to the Motion with which I now conclude, and to the addition proposed by my hon. Friend, earnestly hoping that the result may be to extend the benefits of the system to all portions of the kingdom.

Motion made, and Question proposed,

> "That a Select Committee be appointed, to inquire into the Constitution of the Committee of Council on Education, and the system under which the business of the office is conducted."—(*Sir John Pakington.*)

MR. WALTER, who had given notice to move an Amendment to add, "and also into the best mode of extending the benefits of Government Inspection and the Parliamentary Grant to schools at present unassisted by the State," said: I rise, Sir, to move the Amendment which stands in my name to the Motion of my right hon. Friend who has just sat down. It was my original wish, and probably would, in some respects, have been more satisfactory to the House that, instead of a branch of inquiry, my Motion should have formed the substance of a separate reference. But it appeared to me, considering the extraordinary pressure of business at this time of the year, that I should scarcely succeed in inducing the House to grant two separate Committees to be working together at the same time on two branches of the subject of education; and, therefore, seeing the Notice given by the hon. Baronet the Member for Devonshire (Sir Lawrence Palk) for the grouping of small parishes into districts, I thought no time was to be lost, and the best thing I could do was to confer with my right hon. Friend, and see if I could persuade him to adopt my Amendment as an addition to his Motion. He was kind enough to signify his assent, and I have been given to understand, I believe on the best authority, that it is not the intention of Her Majesty's Government to offer any opposition to this branch of the inquiry being undertaken by the Committee. If that be so, I have to thank them by anticipation for this act of courtesy, and I shall endeavour to repay it by abstaining from any lengthened argument or statement of my own views, except so far as to notice some objections which have lately been raised to them. I shall best discharge my duty by stating very shortly the reasons which led me to take the course I now adopt as the most proper for myself to propose, and most deserving the sanction of the House.

I shall begin, if the House will allow me, by recapitulating very briefly the history of the system down to the present time; that will most clearly exhibit the reasons for moving for a Committee to inquire into the best mode of extending it. I ask the House to be so good as to bear in mind one thing—as to the use that may be made in the course of the discussion of the terms "trained teacher," and "certificated teacher." They are not convertible terms, but totally distinct and independent of each other. Some persons are very apt to confound them for the purpose of throwing difficulties in the way of those who entertain views similar to what I hold. But the House will bear in mind that the two things are quite distinct. A "trained master" does not necessarily imply the possession of a certificate; and, on the other hand, a "certificated master" does not necessarily imply that he has been brought up at a training college. I also beg to observe that in conformity with the views which my right hon. Friend has expressed, I have studiously framed my Amendment in terms so extensive as to embrace any proposal which has for its view to extend inspection and grants to unassisted schools; for, though I do not lose sight of the views I have expressed on other occasions, I think any other plan—such as that of the hon. Baronet the Member for Devonshire—should be included, with a view to see which is the most practicable and most likely to meet the object we all have in view.

I may remind the House that during a period of fourteen years, from 1846 to 1859, the efforts of the Education Department—that establishment as it defines itself, which administers the sum annually voted by Parliament towards the education of the country—were chiefly confined to creating and paying for certain teaching machinery. There were no capitation grants, except to a very limited extent, during the whole of that period. During fourteen years a sum of nearly £4,000,000 in round numbers, was distributed by that establishment for educational purposes, and expended in the following manner:—On pupil teachers about £1,400,000; on school buildings, £1,000,000; in the augmentation of salaries of certificated teachers, £400,000; upon training colleges, £400,000; and towards the building of normal colleges, £150,000; making in all £3,350,000, besides the establishment charges. That was the way in which the money was spent during the fourteen years between 1846 and 1860—all on the machinery of teaching. About 1860, the House will remember, people began to entertain some misgivings as to the results of all this expensive and laborious machinery, and a Commission was appointed to inquire into the actual condition of the assisted schools. The Commissioners reported, among other things, that they had overwhelming evidence that not more than one-fourth of the children educated at these schools received a good education. They also reported that the time had arrived when an effort should be made to hold out further inducements to masters to educate their scholars to a certain standard. Partly in consequence of that Report, and still more, I believe, in consequence of the overwhelming trouble in which the Department found itself involved through having to look after an army, as these 30,000 to 40,000 schoolmasters and pupil-teachers were termed by my hon. Friend the late Vice President (Mr. Lowe) the Government determined to abandon the principle of providing and paying for the machinery of education, and to concentrate all their assistance under the name of the capitation grant—a grant which was to be made to the managers of schools chiefly on the principle of results. When I say "chiefly," I do so for the purpose of showing that I do not lose sight of the fact that one-third was paid for attendance—a plan which I believe to be unwise, except in the case of children. The remaining two-thirds of the grant, however, were certainly paid on the proof of results in reading, writing, and arithmetic; because if you deduct a certain proportion of the grant when those results are not forthcoming, and give it when they are found, you certainly make that payment for results. That is the system at present in vogue—and I wish the House to bear in mind its practical effect upon a proportion of the schools which receive assistance from the country. The grant is essentially confined to town schools and large parishes; for, whatever the reason may be, it is certain that practically it has been found impossible to bring the grant within the reach of small country schools, and to that fact I would particularly call the attention of the House. In the Report of last year my hon. Friend the present Vice President (Mr. H. A. Bruce) laid before the House, in a tabular form, the results of the administration of the grant as regards four different classes of parishes. From this Return it appeared that there were

618 parishes with upwards of 5,000 inhabitants, giving a total population of 10,772,623, and of these parishes 8½ per cent were without an annual grant. The next class of parishes were those whose population number less than 5,000 and more than 1,000. Of these parishes there are 2,624, containing a population of 5,250,000, and of these 38·3 per cent were without the grant. The next table showed that there were 2,874 parishes, containing less than 1,000 and more than 500 inhabitants, giving a total population of 2,017,815, and of these 68½ per cent were without the grant. The fourth class included the parishes with less than 500 inhabitants, and showed that out of 8,761 parishes, containing a total population of nearly 2,000,000, 91·2 per cent were without the grant. I do not know what could be the object of drawing up the table unless it was intended to show how very large a proportion of the population received the annual grant; but if you add together the three last columns—in other words, separate those parishes containing a population of more than 5,000 inhabitants from those which have less—you will find that out of 14,259 parishes, with a population of 9,291,170 inhabitants, 66 per cent are without the grant. This being the case, I think it was not unreasonable if I or any other Member suggested that this state of things ought not to continue, and that some plan should be devised for bringing the rural schools within the reach of the annual grant. As the House will recollect, I proposed in 1862, and in the following year, a Resolution which would have had the effect of extending the Parliamentary grant to all schools which should satisfy the requirements of the Inspector, without enforcing the provision for the employment of certificated masters. My view of the question was not adopted by the House, though the Motion was lost in the former year by only a small majority; and I have thought it better on the present occasion to request the House to empower the Committee moved for by the right hon. Baronet (Sir John Pakington) to deal with any scheme which might come before them for their consideration. It has been the practice of the Department to ignore the merits of these unassisted schools, and, with a view to show that they are unworthy of support, instances have been adduced in this House of schools kept in garrets and tumble-down hovels by one-armed or one-legged masters. That species of argument is what I now wish to dispute. As the result of some examination into the question, I believe I am in a position to show that there are a great many schools in this country entitled in every respect to participate in the grant, but which are nevertheless unable to do so, in consequence of not employing certificated teachers. If the House will allow me, I will quote from two or three letters which I have received from diocesan Inspectors whom I have consulted upon this subject, and it will be seen that I have not overstated my case. I will begin with a remarkable instance. I have a letter from the Rev. Robert Hey, incumbent of Belper, and Prebendary of Lichfield. This gentleman has been diocesan Inspector of Schools for ten years, in the rural deanery of Alfreton, Derbyshire, and has annually inspected about twenty-four schools. He has been for the same period general secretary to all the rural deans of Derbyshire, nineteen in number. He states that out of 218 schools fully reported in his last Report to the Bishop, 173 are pronounced to be "very good." or "good;" thirty "moderate;" fifteen "bad;" the whole of the 173 would, in his opinion, be able to earn grants under the Revised Code, and satisfy its requirements in every respect; but only 107 have certificated teachers—hence nearly seventy schools are deprived of the assistance which they ought to receive. He could name some which are conducted by uncertificated teachers which are better taught than other schools under certificated teachers, and thinks it a great hardship that these should be debarred from a share of the public money. He concludes his letter as follows:—

> "Though I am a strenuous advocate in favour of trained teachers — for I am on the committee of two training institutions—yet I cannot see the justice of withholding help from those schools which can produce results equal, if not superior, to those produced by certificated teachers."

Another diocesan Inspector, the Rev. C. F. R. Baylay, of Kirkby rectory, Horncastle, says—

> "There are three schools in my district, which would, I think, now satisfy the requirements of the Revised Code with regard to examination. One of them, needing the grant, would, I believe, pass as high a percentage as the best school under certificated masters. Two more schools might, I think, be brought up to the mark, if encouraged by the prospect of receiving a grant. I beg to remark that I have recently attended the inspec-

tion of a large and well-conducted school by a Government Inspector. I am, therefore, enabled to speak more confidently than I should otherwise have ventured to do."

The Rev. Herbert Bree, diocesan Inspector for Samford Deanery, Norwich, who has twenty-five parishes in his district, twenty-two of which have schools to which he is admitted, says—

> "It is my opinion that a considerable proportion of the unassisted schools in this district might satisfy the requirements of the Revised Code. There are but six parishes which receive Government grants and have certificated teachers, and these have by no means the best schools. In fact, in my last Report, I placed but one in the first, and two more in the lowest of the three classes into which my schools are divided in the Return which I make to the Bishop. By far the best schools in the deanery, with one exception, have no assistance from Government, and are under excellent but uncertificated teachers."

That, I think, is certainly a strong case. The Rev. E. P. Vaughan, diocesan Inspector, Wraxall, near Bristol, says in his Report—

> "I would again express a hope that Government will not continue to insist on the employment of a certificated teacher as a condition for receiving its aid. There are many schools in your lordship's diocess unfairly, I think, shut out from all Government help, because they have not the funds to employ a certificated teacher, and thus they are punished for their poverty. If the principle of the Revised Code be aid according to results, surely Government should leave the managers of schools at liberty as to the means by which they will obtain an efficient school. If certificated teachers generally produce the best results they will generally be employed, and if not they ought not to be employed. The attempt to force managers to employ them is, I think, both unwise and unfair."

I have received a curious letter from the Rev. Mr. Stretch, curate of Huish Champflower, Somerset, in which the writer says—

> "Our parish is one of many in which the principal inhabitants are tenants of small farms and the whole expense of the school is defrayed by the rector, with the assistance of a few subscriptions from non-resident landowners. A sufficient salary for a certificated master cannot be raised, so we have an uncertificated one, who is content with his cottage, £30 a year, and the children's pence—say, £10 more. Some years ago the rector put himself to some expense to get his schoolmaster 'certificated,' but immediately he heard of a larger salary to be obtained elsewhere he gave the rector notice to leave."

This, then, is the encouragement which has attended the efforts of the rector to provide himself with a certificated master. I can produce many letters to the same effect, but it will not be necessary to do so now. This I can promise the House, that when the Committee is granted, very many of a similar nature will be laid before them.

I told the House I should feel bound to notice some objections lately made to the proposal of allowing schools without certificated masters to be assisted, and I see my old antagonist, Mr. Norris, had a fling at me to-day. I will quote to the House some of his objections. He says—

> "The object of the Parliamentary grant is not merely to pay, but to improve the schools of the country."

That is one objection. He goes on to say—

> "The chief 'result' which the nation expects from a school is to turn foolish, disorderly children into obedient, sensible children compared with this, those other 'results' of reading, writing, and arithmetic, are of secondary importance."

He says thirdly, that if my Motion be carried—

> "Every school in the country, good or bad, will obtain something out of the public purse."

He says, further, that—

> "An Inspector's impressions, after spending a few hours in a school once in the year, cannot be a sufficient test of the moral suitableness of the teacher for his office."

And, lastly, he adds that—

> "In France, Holland, Switzerland, and Germany, it is thought necessary to make a certificate of this kind a *sine quâ non* condition of the public recognition of a teacher."

With regard to the last objection, that certificates are indispensable in France, Germany, Holland, and Switzerland, I do not see what that has to do with the subject. I maintain that in this country we are perfectly able to educate children up to ten or eleven years of age without copying the system of foreign countries. We have not yet arrived at the consummation the right hon. Baronet (Sir John Pakington) seems to desire; we have not yet a Minister of Public Instruction, and I confess I am not very favourable to such a proposal. We must bear in mind that ours is a voluntary system, and that the Education Department is only a machine for administering a certain grant of public money—the first line of the Revised Code tells us so; and I would rather see the whole thing knocked on the head than see the voluntary system abandoned. Therefore, do not let us point to France, Holland, Germany, or Switzerland. What is done there may be right or wrong—I will not argue that point at this moment—but let us determine the matter for ourselves, as we are perfectly competent to do, particularly when a great weight of opinion already exists—I refer now to the diocesan Inspectors — in favour of throwing open the schools to competition. With regard to the objection taken by Mr. Norris to the inadequacy of the impressions formed by the Inspector after a few hours spent in the school, and his assertion that this cannot be a sufficient test of the moral suitableness of the teacher for his office, let me ask how are you to judge? What test is the certificate of the moral suitableness of the master? I have no doubt, from many hints let drop in the course of this controversy, that the master's certificate does very much operate as an inducement to careless inspection. The Inspector feels that a great deal of the work is done for him by having a certificated master, and he does not pay the same attention to the school as if he knew nothing of the master's antecedents, and had to judge for himself. I maintain that no intelligent Inspector can pass three or four hours in a school without acquiring a very good insight into the condition of that school, moral as well as intellectual. In proof of that assertion I have here a Government Inspector's Report of a school, unassisted and taught by an uncertificated master:—"The condition of this school is very good, reflecting the highest credit on the master." That Report, according to Mr. Norris, is worth nothing. How did the Inspector ascertain the facts upon which he reported? The master had no certificate, and yet the condition of the school was "very good." This is in clear contradiction of Mr. Norris's theory. We must not lose sight of the further fact that we are dealing with rural parishes, which, the House will recollect, differ totally in their condition from town parishes. In the towns the proportion of the population to the clergy is very large; probably you have 4,000 or 5,000 persons to every clergyman. You must have large schools, therefore, wanting a very superior kind of organization and the highest class of masters that can be got. The clergyman can devote very little time to the schools, so that everything practically is left to the master. But in rural parishes where the population is under 500 or 1,000, what on earth has the clergyman to do? In some cases he takes to hunting if it be winter, and in summer to croquet, in order to kill time. Why should he not pass some portion of his time in the schools, and why should he be bound to employ a certificated master, instead of taking the machinery that he finds readiest to his hand — a clever woman to teach sewing to the girls, and a competent master to teach reading, writing, and arithmetic to the boys—machinery that would be ample for its purpose when watched over by the clergyman himself? At this point Mr. Norris's great argument comes in—

> "The chief result which the nation expects from a school is to turn foolish, disorderly children into obedient, sensible children; compared with this, those other results of reading, writing, and arithmetic are of secondary importance."

All this is to be accomplished by a certificated master, who is to go up to be examined, pass a very easy examination in order to get his degree, and then to conduct the school, which is to be twice inspected, with an interval of one year between the inspections, before he gets his certificate. So that, after all, the schoolmaster's own certificate depends much more on the inspection of the school than on the examination. Well, but every one does not agree with the argument that morality, obedience, discipline, order, and all the other good qualities are to be found only in schools conducted by certificated masters. I have a letter here from a clergyman, the Rev. Mr. Goodwin, who sends me a long list of good schools, unassisted in his district. His letter concludes in the following words:—

> "I would add that I believe there to be a growing feeling among the gentry, farmers, and clergy of this deanery, against the new sprung up race of certificated teachers, in that (at all events, in agricultural districts) they unfit the children for their natural position and probable calling in life, without fitting them for any other; and that they make discipline, good conduct, obedience, moral tone and training, second to (what is, after all, among three-fourths) a smattering of many things, a proficiency in none, and even that followed by a speedy forgetfulness of almost all."

I quote this gentleman's letter to show that the result of his experience has led him to conclusions very different from those arrived at by Mr. Norris. The case then, of the rural schools is this:—You have the ecclesiastical machinery ready provided, in the shape of the parish clergyman who must have obtained a degree in order to take holy orders. But according to the existing system, his character and position go for nothing, in comparison with the certificate obtained by the schoolmaster—a man, perhaps, twenty years of age, who has just left a training college. Surely it is an insult to tell him that he is not qualified to look after the education of the school children—a matter which he probably regards as of the very highest importance? What is there, I would ask, which ought to prevent any gentleman taking an interest in the poor of his parish, from looking after the parish school, and from making himself personally responsible for its proper conduct? There are instances, we know, of great personages, men filling the highest social position, who have condescended, or been obliged, to undertake the office of schoolmaster. The late King of the French was obliged to earn his living for a time as a schoolmaster in Switzerland. Had he sought to teach the children of some humble school in England, that eminent personage to satisfy the requirements of the Privy Council, must have passed an examination as to his fitness for the duties. If the noble Lord at the head of the Government, through the vicissitudes of life, were ever induced to take up the position of a schoolmaster, all his vast experience would go for nothing; he must be examined in reading, writing, and arithmetic before Mr. Lingen. A very curious instance in point is included in last year's Educational Report, and I was much struck on reading the statement which is contained in Mr. Warburton's Report as to Boyne Hill, an establishment managed by Mr. Gresly, a gentleman who is very well known by name, I dare say, to many Members. Mr. Warburton says:—

> "At Boyne Hill, the boys' school is still, as hitherto, in good order, and attended by an intelligent class of boys, and I am glad to say that there is every reason to suppose that from this time forth, the girl's school will be regularly inspected, the lady who volunteers as teacher having made up her mind to go through the examination in order to possess herself of a certificate, that the school may enjoy the same advantages with respect to Government, as if it were not so peculiarly circumstanced as it is, under her care."

This statement is put forward, the House will observe, with the utmost complacency, as if it were a natural, usual, and proper thing for a lady to go up and be examined in reading, writing, and arithmetic by the Privy Council. I thought it a remarkable instance of humility and condescension. We have heard of cases of ladies in some new-fangled religious establishments, condescending to very singular acts of humility; and the matter having been stated as a fact by Her Majesty's Inspector, it was not till the other day that some correspondence with Mr. Gresly raised any doubt about it in my mind. I then wrote to Mr. Gresly, asking whether it was not true, as reported by Mr. Warburton, that this lady went up and submitted to the ordeal of inspection, in order to earn the grant; and Mr. Gresly wrote as follows in reply:—

> "The lady in question did not go up for examination. When the Government grant to the boys' school was reduced by the new regulation, she offered to do so; but I thought she should first ask her relations, and they did not quite approve, so it was not done."

I certainly am not surprised that the relations of any lady in such a position should think it unbecoming for her to go up to the Privy Council Office, and be examined as to whether she knew how to read, write, and cipher, and consequently I am not astonished to hear that she declined to do so. I will add a word or two as to the alternative presented. It is admitted that the case of the unassisted schools is a hard one, and that some means should be adopted to meet their wants; and amid the perplexities in which they are involved it is not surprising that the Committee of Council should grasp the first friendly hand held out to asssist them. Accordingly, we have a new Minute, of which we may truly say *dux femina facti*. We are indebted to the benevolent lady to whom the right hon. Baronet has referred, for the well meant scheme which the Government has adopted with so much alacrity. I confess that I have doubts as to the success of the scheme. I think there are difficulties in the way. In the first place, you must get three, or four, or five, or six squires and parsons in the neighbouring parishes to join together. That is not always to be done. You may get two or three to join; but to get five or six is a consummation not to be expected to occur frequently on this side of the millennium. Even if you do get half a dozen squires and clergymen to agree, they may fall out after a time, and then the whole scheme comes to the ground, and there must be a new master. Then what sort of a master are you to get? Indeed, it appears that he will be more of a sub-inspector than a schoolmaster, as he is only to devote two hours a week to each school, and being a trained master, with a certificate, such a man could not be got for less than £80 or £90 a year. When the expense is divided between three or four poor schools, perhaps only receiving each some £15 of the Government grant, the clergy will hesitate about adopting this scheme, unless they think they can obtain a larger share of assistance. Besides, as I said before, these masters, or sub-inspectors, are only to devote two hours per week to each school, and, therefore, I would ask why the clergyman of the parish could not do the same thing. Why is his supervision not to be respected by the State? Why should not a school under his supervision receive Government aid like a school under a certificated master? I do not object to the scheme—I do not object to any scheme which tends to confer the benefits of the Government grant upon all good schools; but I think it hard that it should at once invest certain schools with privileges which are not to be enjoyed by other schools, perhaps better schools, but which do not think it right to adopt this particular machinery.

I need not further trespass upon the indulgence of the House. I am indebted to the House for the patience with which it has listened to me, and I truly hope the result of this inquiry if granted, as I believe it will be, may lead to a solution of the difficulties which we all know to exist in the present state of our educational arrangements.

Amendment proposed, at the end of the Question, to add the words—

"And also into the best mode of extending the benefits of Government Inspection and the Parliamentary Grant to Schools at present unassisted by the State."—(*Mr. Walter.*)

MR. LOWE: Sir, I know not whether I should not do more wisely, and certainly I should best consult my own inclinations, if I were to allow this question to pass in silence on my part. But I am unwilling altogether to see what I cannot but regard as the commencement of the undoing of the work that has been recently accomplished, and which I regard with great interest, without interposing a few words to point out to the House what I think it could scarcely have gathered from the speech of the right hon. Baronet—the exact proposition that is before us. But before doing so I would first say a few words in answer to the hon. Member for Berkshire (Mr. Walter). Without following that hon. Member into all the details which he has placed before the House, I will just state over again very briefly what is the principle to which the Committee of Council has hitherto adhered—the principle of extending no assistance except to schools under certificated masters. The first duty of Government in assisting voluntary efforts, which is the essence of our system, is to see that the school assisted is a good one; and the first element of a good school is a good teacher. The first duty, therefore, in the opinion of the Committee of Council from the time they undertook to assist schools further than by building grants — their most important duty was to be sure that the assistance given by Government was given to schools which had good teachers. That is the foundation of the whole system; it has always been so regarded, and never up to this moment has the Committee of Council swerved from that principle. It is quite a mistake to suppose that the Privy Council ever intended by introducing what is called "payment for results," to waive this primary and all important condition. Let the House remember that schools exist not merely for the benefit of the children who pass the Inspector's examination, but also for those children whose tender age and backward state of instruction preclude their being presented to the Inspector's notice. It is all-important that those children should be placed under the care of persons in whom the Government have confidence, as far as they can possibly judge, as being proper instructors. It is taking a poor and narrow view of education to limit it to reading, writing, and ciphering. There is much to be learnt at school besides those elements, and it is quite as important that children should be trained, civilized, made tractable, and obedient, and even if their education is deficient upon some of those points by which the Government grant is regulated, still much has been gained if these things are secured. I hold that the Government would be utterly inexcusable if it were to give public money to assist what is intended to be a good and sufficient education without taking all the securities within its power to insure that the schools which are assisted were under teachers to whom the care of the rising generation of the poorer classes can be safely intrusted. Another reason equally powerful is that the schoolmaster under the existing system, and as long as it is allowed to continue, will be virtually an agent for the distribution of public money. It is upon the returns he makes, the records that he keeps of the attendance of children, that the amount of grant is calculated, and in that manner large sums of public money are distributed. The proposition which is to be submitted to the Committee by the hon. Member amounts in effect to this —that those duties, upon the performance of which the distribution of large amounts of public money depend, are to be intrusted to persons of whom the Government will know absolutely nothing. If such a principle were tolerated it would amount to a recklessness in the expenditure of the public money which would be discreditable to any Government. Another effect of such an arrangement would be, that the grants would no longer be given on account of the efficiency of schools, but all schools would get a little of the public money. Every school can produce a few children who can read and write tolerably, however defective their general teaching may be. In such cases to make a grant would be to throw away money. These reasons have been frequently stated in this House, but I conceive they are of very great weight, for I believe we shall sacrifice the corner-stone of our system of education if we give way in this matter. The blame, of course, rests with the system which is voluntary, and a voluntary system cannot be universal, or it ceases to be voluntary. There must be a point beyond which the conditions upon which schools may receive Government assistance cannot be relaxed, for if you go beyond that point you abandon the revenue to indiscriminate plunder by anybody who calls himself a schoolmaster, or sets up what he may choose to call a school. It is, of course, a question where the line should be drawn. I say, draw it here—give no assistance to schools of the character and qualifications of whose masters you are absolutely ignorant — whether their moral or their intellectual qualifications. It is not sufficient that a certain number of children should be brought together on one day in the year for examination—children who, as far as the Government could tell, might never have attended the school at all—that is not sufficient to justify the grant of public money. Government are bound in duty to the taxpayers to obtain all the knowledge we can possibly get to regulate the disposal of public money, and there is no excuse for wilful ignorance.

I now turn to the speech of the right hon. Baronet (Sir John Pakington) and I do so the more earnestly as I am sure the House is not aware, from the terms of the Motion as it stands upon the paper, and to which it seems the Government are willing to agree—the House is not aware of the real object in view. The right hon. Baronet has given notice of a Motion for an inquiry, in the first place, into the constitution of the Committee of Council, and next an inquiry into the system under which the business of the office is conducted. That part relating to the constitution of the Committee of Council is plain enough; but what would anyone think the right hon. Baronet meant by the other branch of his Motion? Would it not be that he had some observations to make upon the mode of transacting business—that, perhaps, there was too much writing, too many forms, or too great delays? Would any one suppose that under those words the right hon. Baronet meant, as I will show he does mean, to propose to the House to appoint a Committee to consider the propriety of sweeping away the present system of education, and substituting an entirely new system? I would, in the first place, remark that when an hon. Gentleman asks for a Committee upon any serious question, and especially a Committee affecting a department of the Government, it is usual for him to show that there is information to be had which is not already in the possession of the House, and which can be obtained by the inquiries of a Committee. But has the right hon. Baronet done that? Is it possible to imagine a subject upon which more information is accessible to the House than the organization and the mode of transacting business by the Committee of Council on Education? In 1858 there was a Commission, under the presidency of the Duke of Newcastle, which inquired into the whole subject of national education. The inquiry was general in its terms, but the real gist of it was an inquiry into the Committee of Council, the manner of transacting its business, and the conditions upon which it distributed its grants. That inquiry lasted for three years. During that period the Committee of Council was perpetually under examination. The Secretary was examined, re-examined, and again examined. Inspectors were examined; the heads of religious denominations in contact with the Committee of Council were examined; many managers of schools were examined; and circulars were sent to a vast number of persons whose replies were duly tabulated. A vast mass of statistics was procured; and the result was, that in 1861 there appeared six octavo volumes, one of which is taken up by the Report, which is chiefly devoted to an analysis of the whole system and working of the Committee of Council. Nor was the Committee of Council itself idle, for under the administration of the right hon. Gentleman the Member for North Staffordshire (Mr. Adderley) the Committee undertook the praiseworthy task of digesting all its contents and bringing them within the compass of a single volume. In 1860 they were again digested and reduced to the form of a Code, and in 1862 they were re-digested and were reduced to 130 short, simple propositions. Besides that, we have had, from the beginning of 1862, continual discussions in Parliament upon every question that could be raised. Hardly a day passed without some question being put to the representatives of the Department; while no less than eighty pamphlets were written upon the Revised Code. The Committee of Privy Council, too, have made annual Reports, each filling a thick octavo, and every spring an immense mass of statistics has been laid before the House. I do think, therefore, that it was incumbent on the right hon. Baronet, before asking the House to grant a Committee which would cause the Department enormous trouble and inconvenience, to point out to us what information he desired to have which was not already accessible to him from all those Reports and statistics.

But passing from these considerations, let me follow the right hon. Baronet in his examination of the constitution of the Department. He takes exception to its constitution, first, on theoretical, and, next, on practical grounds. His theoretical objection seems to be this—that there is not one Minister who is responsible for the administration of these grants. That is his main objection. I can only meet that —as far as I can be deemed to have any information — by a direct contradiction. There is one Minister responsible, and that Minister is the Lord President of the Council. There is no divided responsibility, one Minister is responsible for every administrative act of the Committee of Council. The person who represents the Department in this House is appointed by an Act of Parliament—so plain are all the proceedings connected with it—and that Act says that he is to be under the direction of the Lord President, and to act for him in his absence. As I have always read the Act it sets him in a position neither more nor less than that of an Under Secretary of State. He is a Privy Councillor, because all the proceedings take place in the name of a Committee of Privy Council, and it is therefore necessary that he should be such; but his position is not a bit more than that of an Under Secretary of State. The responsibility is one and undivided, and no new change can make it more so. The Department does not consist wholly of a President and a Vice President; there is also a Committee of the Council. The right hon. Gentleman objects to that, because it does something—it meets, deliberates, and decides, while other Committees, such as the Board of Trade, do nothing. That Committee is a Committee of the Cabinet, with the single addition of the Vice President. So that the constitution of the Privy Council is this:—There is a legislative body which is composed of a Committee of the Cabinet, of which the Lord President and the Vice President are members; and then the administrative power is vested in the Lord President, assisted by the Vice President, who is under his direction. I want to know what fault can be found with such a constitution as this. As far as I know it seems to me a remarkably good one. You have there an advantage which you have not in any other Department, except in the Indian Council—that in the preparation of the regulations and making of Minutes it is clothed, subordinate to the control of Parliament, with a certain kind of legislative power; and that power is not intrusted wholly even to officers of such high dignity as the Lord President, much less to an inferior subordinate like the Vice President, but to a Committee of the Cabinet, who hear the reasons which are adduced, who deliberate, and within my experience exercise great influence on the decisions which are arrived at. I see no objection to placing the office in the hands of the Lord President, because, though at present that office is held *in commendam* with the leadership of the House of Lords, the other duties connected with it, so far as they are of an official nature, are not very onerous, and the Lord President, therefore, has always full time —has always found time — for the discharge of the duties of the Department. I see no reason why these duties should not be in his hands. He is a Member of the Cabinet, a high officer of State, who can advocate his views with influence among his colleagues, and who can vindicate the Department whenever its measures are questioned. I see also great benefit in there being a subordinate officer to represent the Department in the House of Commons, and it is quite right that the Department should be represented in the House of Lords. Four-fifths, I believe, of the money voted is expended on schools in connection with the Church of England. In that the Bishops undoubtedly feel great interest. They are the natural representatives of the Church in this matter, and it is perfectly right, and only treating the Church with proper respect, that there should be a representative in the House of Lords to answer for that Department, and to explain to the Bishops anything of which they may think they have a right to complain. The misfortune of the Department is this—that it has a lore of its own; and such is the extraordinary difficulty and complexity of its regulations that you cannot expect any statesman who is not practically acquainted and connected with the Department to master them. I cannot see that there is anything bad in having the Department represented here by a person whose business it is to answer for it. It gives the House of Commons the opportunity of getting any explanation it may wish; there is always somebody here to move the Estimates, which could not so well be done by any person who was not practically acquainted with the Department, and the House of Commons thus obtains a valuable and proper control over the management of this large sum of money. I ask the right hon. Baronet to show me when he comes to reply in what respect, in theory at least, he has substantiated any grave objection against the organization of the Department. I know not in what respect you could amend it. I am sure that if you were to have a Minister in this House whose sole business it was to be really responsible for the actions of the Department, you would do the cause of education a great mischief. So long as the educational grants are made on their present basis their object is to assist voluntary effort. The Department has no initiative; it merely follows the lead of voluntary and private enterprise. The person who would hold such a subordinate position as the head of this Department would never be a Member of the Cabinet, his views would not be represented in the Cabinet, he would not have the opportunity of bringing his measures before the Cabinet, and the Cabinet not feeling themselves committed to his measures, they would be liable to be abandoned on the smallest show of opposition. So much for the theoretical objections.

The right hon. Baronet next proceeds to enforce his practical objections, and sets himself to prove—what to my mind would be much more cogent—that the Department, owing to its present organization, has failed in its duty. Indeed, the right hon. Baronet brings against it rather a contradictory charge; for while he reproaches it with having brought forward the Revised Code with a view to reduce the annual grants, in the same breath he says that being a centralized Department it is necessarily guilty of gross extravagance. In the first place he quotes the evidence of Mr. Lingen, who, he says, told the Commission "that if the present system of appropriating grants were allowed to continue the Department must break down at the centre; and then he says that Mr. Lingen disapproves the organization of the Department. Any one who considers the subject will see that Mr. Lingen was speaking of an entirely different state of things from the present. We used to pay every grant separately—not a capitation grant for the whole school, but so much for the pupil teachers, so much for attendances, so much for augmentations to the masters of schools, and so on separately. This necessitated an immense and complicated mass of correspondence and accounts. But that state of things has happily been altered. So long as it lasted Mr. Lingen said truly that if this complicated system were continued it would break down at the centre—not that the President and Vice President would break down, but that as it was necessary that the system should be conducted on one homogeneous plan, and that everything should be done under the eye of a single Secretary, if this complexity and multiplicity of accounts were not removed it would be impossible for a single Secretary to do the work. It was not the Parliamentary centre which would be overworked, but the official and permanent centre. Then the right hon. Baronet says that if the Department had been better organized the whole country would have been brought under its educational system. He says it is the duty of the Department to extend education all over the country; but I could not gather from the right hon. Baronet's speech that he was aware of the fact that the system on which the education grants are administered is a voluntary system, and, being a voluntary system, must, of course, extend just so far as voluntary efforts will lead it. It has no initiative; it can originate nothing—it can only assist by grants of public money those who are willing to found schools. That is a necessary condition of a voluntary system. Is it possible by any change in the construction of the Department—so long as it is compelled to administer the system which exists—to enable it to create schools where there have been no voluntary efforts, to make public money go into places where the first condition of a grant of public money has not been fulfilled? The right hon. Gentleman may say that the system ought to be changed; but the system is not the creation of the President and Vice President. Therefore, the complaint of the right hon. Gentleman is this—that the organization of the Department is faulty, and ought to be changed, because it does not create that from the creation of which Parliament has expressly withheld it. Of a similar nature is the right hon. Gentleman's next objection. He says that the Department ought to have united two or three parishes together. But what good would it have been to unite two or three parishes if there had been no schools in those parishes? What power has the Department to create schools? The right hon. Gentleman seems to think it is the duty of the Department to create schools. I so far agree with him that I wish it was in the power of the Department to take a wide and statesman-like view of the matter; to inquire not where the best schools are—for those which are the best are generally those which want the assistance least—but where this money is most needed—where it will do most good. But that is not the condition under which Parliament or the Church of England has assented to this system. It is perfectly monstrous to blame the Department for not doing that which it is prevented by its very constitution from doing. Therefore, though the right hon. Gentleman may be quite right in his doctrine with respect to the power which he would wish to see the Department exercise, he is quite wrong when he blames the Department, which takes the system not because it is one of its own choice, but because it is the system which the will and pleasure of Parliamen has determined shall be administered in its present shape.

The right hon. Gentleman says further, that the great mistake made by the Department would not have happened if the Department had been properly organized—namely, that we proceeded to enforce the "conscience clause" without consulting Parliament on the subject. The right hon. Gentleman does not speak without knowledge on the subject; for the other day, much to his honour, he made a motion at Worcester to induce them to accept this clause there. But will the House believe me when I tell them that up to this moment the Council has never enforced this clause? The basis on which the right hon. Gentleman endeavours to make good this charge has no foundation except in his own imagination. I wish the clause had been enforced—I think it would be much wiser to enforce it at once than to keep the matter in a state of uncertainty; but that has never been done, and I think that when the right hon. Baronet comes to make a case against the Department he should inform himself on the simple and familiar matter of fact whether or not we have enforced this conscience clause.

Another great grievance is, that we introduced the Minute which declared that the endowment should be deducted from the amount of the grant. That was bad work; and, worse, we tried to enforce it in seven words; and, worse still, we laid it on the table of the House. Well, Sir, it is the practice to lay our Minutes on the table of the House, and I was not before aware that it was considered any defect in a document that it should be short—that it should consist of as few words as possible. This Minute was laid before the Council, which formerly considered and adopted it; it was agreed to by the Lord President, and having been so considered and adopted, it was laid on the table of the House, in accordance with the invariable practice of the Department. Therefore, what there is to complain of in that I can not conceive. Again, Miss Burdett Coutts makes a suggestion to which the Department gives effect. Seeing that the suggestion did not emanate from any Inspector or any schoolmaster, or any one in connection with the Committee of Council, one would not have been much surprised if the Department had rejected it; but, not looking at it in that spirit, much to his honour, my right hon. Friend (Mr. H. A. Bruce) adopted it and brought it out in a shape in which I think it will do much good. However, because the Department was sensible enough to accept the suggestion of a benevolent lady, this is made a charge against it, and the right hon. Gentleman says, "Why did you not find it out before?" The right hon. Baronet has been inveighing on this subject for many years—why did he not find it out? The fact is, Sir, invention is one of those commodities which are rarely found in public offices and still more rarely in their critics.

Sir, I have gone through the right hon. Baronet's objections, and I think I have shown that, even if he be right in his view, he has the most abundant information in his hand to enable the House to make any change which he may wish to propose in the system. I have shown that the Department is presided over by the Lord President, and I have further shown that Mr. Lingen's remark did not apply to the conduct of the Department; that his observations were directed to what is permanent, and not to what is Parliamentary. I have shown that in the conscience clause the right hon. Baronet attributes to the Department conduct which they have not adopted. There is not one of those allegations against us which has even the colour of foundation, except this one—that we have given rise to a great deal of discontent and dissatisfaction. And now as to this argument. I think it is impossible for me, wishing as I do to deal candidly with the House, to deny this charge. In 1861 the Office found itself placed in a position of unexampled difficulty. A Royal Commission of great weight, after a consideration of the subject of national education, made recommendations which it was impossible to carry out without giving mortal offence to the parties concerned. They reported that education was of the most defective kind; that not one-fourth of the children were properly educated. In consequence of that Report we made a sweeping withdrawal of grants to schoolmasters, and we introduced examinations—changes which were most disagreeable to the parties concerned, parties with whom it was most dangerous for any Department to interfere. Had the Department followed a rule which has been adopted in other and somewhat similar cases it would have disapproved the Report which bore so strongly upon the system it was administering; it would have used the whole of its machinery—and this is not small—to protect the system—to prove that the attacks upon it were exaggerated, and that it was not open to the objections made by the Commisssioners —it would have sheltered itself under a cloud of vested interests. But the Committee of Council, to its honour, or rather the Lord President at the head of it, did nothing of the kind. It applied itself boldly to the difficulties, and most manfully set about making the changes which were required. I am not going into details, but let me say in general terms what it did. It swept away the vested interests of some 10,000 teachers, who had begun to consider themselves as Government *employés,* having a claim to augmentation grants for the remainder of their life; it altered the relations between the Government and some 7,000 or 8,000 managers, who from that time received in a simple grant payments which had before then been made to them in a complicated form. It made the grants not merely an aid to efficient schools, but a powerful lever to raise the inefficient schools to a position of efficiency. While I was connected with the Department, it introduced into this country, or at least familiarized the country with a doctrine which is now generally known as that of "payment by results." We got rid of the enormous incubus of some 15,000 pupil-teachers who were receiving grants; we reformed the training colleges, putting them on a footing by which those burdens on the State are limited, and arranged so that the money is only paid for work actually performed—and all this while the number of children went on steadily increasing—and is, I believe, but of course I no longer speak with official authority, £200,000 more than it was when the change begun. The Department with which the right hon. Baronet finds so much fault did all these things, and, though I do not say it has not much raised the standard of the highest classes, it has spurred on the lower so that they have reached a point of efficiency which they had never arrived at before. We made the grant what it never was before—not merely an assistance to the teaching of clever children, but an incentive to make the teachers apply themselves to the more backward children. We placed the grant in that position which enables the House to lower it whenever they think proper, and to raise it when they think that they can do so with advantage. We dispelled the obscurity which surrounded the subject, and made comprehensible that which had been incomprehensible before to all but the initiated. This has been done under the faulty constitution and imperfect machinery of which the right hon. Gentleman complains. I want to know if you had a machinery ever so perfect what more could have been done with the system? And I ask the House—I ask any Gentleman—in fairness and candour, whether it was possible for any Department to undertake and accomplish such a labour without incurring great discontent and great dissatisfaction. We were in a position different from that of any other Department. In effecting those changes we struck directly at the pockets of hon. Gentlemen in this House, and at the pockets of the whole community, as any retrenchment made in the amount of the public grant would come upon the managers in the shape of an increased subscription; we took from the schoolmasters considerable payments which they had been receiving from the Government, and thus many clever men over-educated, men scattered pretty equally all over the country, were provided with a grievance against the Department. Was not that an element of discontent? Then the clergy, on whom this system must, I think, press with very undue weight, because they have not from their richer lay neighbours that assistance which they ought to receive — they did not attribute the blame to those who ought to bear it, because, I suppose, it was more easy to ascribe it to the Committee of Education. Therefore, I think it is not wonderful that there should be dissatisfaction and discontent with the Department. It could not, under the circumstances, be otherwise. But, considering what this Department has done by force of reason, and not by party majorities, I confess I think it strange the right hon. Gentleman should urge that in doing this enormous public service, the fact of the Department incurring some transitory dissatisfaction from the public is a ground of reproach. I think it is an honour to the Department to have come forward as it has done, and sacrificed itself for the public interest. When I moved the Education Estimates in 1859 the amount of the grant which I proposed was £840,000, and the amount would have gone on increasing up to the present moment at the rate of £100,000 per annum as was predicted by Sir John Kaye Shuttleworth, but for the change which was introduced, so that the Vice President of the Committee of Council would have had to ask this Session for a sum of £1,300,000 instead of £700,000, which was the amount asked for last year. And this saving has been effected, be it borne in mind, although not without great friction and pressure, simultaneously with a great simplification of the machinery and a great improvement in the quantum of instruction communicated to the children. Such has been the career and conduct of this Department, which has always been quite ready to render an account of its proceedings to Parliament when called upon; and I confess I think it hard that, having incurred unpopularity, and raised dissatisfaction by the introduction of reforms which were carried by the force of good sense and reason, it should be abandoned as a victim to the storm which it created in the endeavour to do its duty to the public. The House is probably not aware of the evils which must result from granting the proposed Committee. As regards the Department, it is calculated to produce enormous mischief. The Department is overladen with work. You will throw everything out of gear by this inquiry. The Department has been under an inquisition of one kind or other for the last seven years, and you are now asked to subject it to a fresh ordeal on the strength of the reasons which have been urged by the right hon. Baronet. You should, however, remember that a fly cannot always live under a microscope, nor a toad under a harrow; and unless this Department has some superhuman vitality distinguishing it from other public Departments, it must, I think, ultimately break down under the treatment which it receives out of doors as well as in this House.

There is another consideration, also, to which I should wish briefly to advert, and that is, that there are a great number of interests which we hoped had been adjusted by the Revised Code which will if you proceed as is purposed raise their heads again. People were beginning to settle down under the new system, not because they liked it, but because they deemed it to be inevitable, and no worse service can be done to the cause of education than to hold out a hope that there may be a reversal of policy. Now, the Motion of the right hon. Baronet points directly to the reversal of your present policy, inasmuch as he told us that the second object which he had in view was to consider the means of extending education to the whole of the country. That may be done by the system of which the right hon. Baronet is the professed advocate — the system of maintaining schools by local rates. That may be a much better system than the present; but what I want to point out to the House is that it can only be reared on the ruins of the present system. That is what I complain of as being the scope of a Motion the words of which simply point to an inquiry into the mode of transacting the business of the Office. The right hon. Baronet asks the House to grant a Committee to revolutionize the whole system of education in this country — a system which has been established after so much turmoil — to raise hopes which were beginning to die away, and to destroy as far as possible all that has been effected by the wisdom of Parliament and the labours of the Department within the last four or five years. Another evil result of the course which the right hon. Baronet wishes to see adopted will be that it will lead the schoolmaster class to think that the time has arrived for a fresh struggle. It, under all these circumstances, seems to me that I never since I had the honour of having a seat in this House knew a Motion to be submitted to our consideration so utterly unsupported as this by any valid reasons, or whose tendency is so injurious. What are the advantages which are likely to flow from its adoption I know not. If the right hon. Baronet is prepared to propose a system to carry education through the whole country, let him do so, and take the opinion of the House upon it. But why must the entire question be reopened—happily settled as we all thought it was, at least for some time to come — merely for the purpose of ventilating a theory which we know when it comes to the test of examination will never be received by the House? Education in this country has taken its rise in religious sentiment—it is based on a denominational feeling. But if you have a system of local education by means of rules it would follow that the ratepayers would not tolerate a great number of educational schools, and would insist on the children of the different denominations being taught together. Now, that may be a better system, but it is not, at all events, the present system, upon which large sums of money have been spent. Is it wise, then, I would ask, to shake our confidence in things as they stand, unless you have a reasonable prospect of supplying something more efficient? But, after what has fallen from the hon. Member for Berkshire (Mr. Walter), it would appear that I am arguing upon a matter in respect to which a foregone conclusion has been arrived at. I ought, therefore, perhaps to apologize to hon. Members for having trespassed upon their attention at such length; but no man likes to see the work to which he has devoted so much time and trouble placed in such peril as I conceive our present system of education to be by the Motion under our notice. I do not, however, for a moment believe that he will persuade the country to adopt his system, although he may interfere with voluntary effort, and the conditions on which voluntary effort is aided by Government. Every statement which he made, every pamphlet which has been written on this subject seems to have been directed to one object—to break down the conditions which are the guarantees for the efficiency of the education given, and of the economy of the grant. "More money for schools, less guarantee for efficiency," is the cry. I do not think the right hon. Baronet will succeed in inoculating the Committee with his own views on the subject. He will, no doubt, be backed by a number of persons who will represent to him their grievances, and he possibly may succeed in damaging and breaking down the safeguards which intervene between these grants and the most unbounded extravagance. He may view the result with satisfaction, because it would be a step towards destroying the present system, which must precede the setting up in its stead that of which he is the advocate. I, however, can view it with no satisfaction. Much as the present may fail to meet the requirements of the country, I believe it to be, if not the best law, at all events the best law which the Athenians are capable of receiving. I therefore deeply deplore the agreement which seems to have been arrived at, to hand over this question to a Select Committee, and I have been discharging what I deem to be only my duty towards a Department with which I was so long connected in offering these observations to the House.

Mr. ADDERLEY said, that a construction had been put upon the Motion by the right hon. Gentleman who had just spoken, which it was not intended to bear, inasmuch as it was in no way proposed by it to upset the whole principle upon which the grant for education was now administered. For himself, he might say he would by no means give his assent to the Committee, if its objects were such as they had just heard described. He quite concurred, he might add, with his right hon. Friend near him that the question of improving the constitution of the Education Department was one well worthy of consideration, while his impressions were, as far as they went at present, decidedly adverse to some of the views of the hon. Member for Berkshire (Mr. Walter). It was most desirable that the functions of the Committee should be made clear. It was by no means intended to bring under discussion the whole principle on which the Education Grant was distributed. The constitution of the Committee of Council on Education was by Orders in Council 1856, the President and Vice President in his absence, and assisting him when present; and its functions related to the primary education of the working classes, and to the Department of Science and Art, the Charities, and other matters. The Committee proposed, beyond the constitution, to look into the system so far as the first only of these functions, and into the possible extension of the benefits of inspection and grants to schools at present unassisted. Such terms would make it clear that no Member of the Committee could open up the larger subject alluded to by the right hon. Member for Calne (Mr. Lowe). The present constitution of the Committee was by no means satisfactory. It was analogous to the constitution of no other Department. Originally, he believed, the Board of Trade was a Committee of Council, but with the usual tendency of things theoretically wrong in this country to work themselves practically right, it had developed into a separate Office. The Committee of Council was anomalous in this respect, that a subaltern was the ordinary administrator, and that the nominal head of it interfered only as much as he was inclined, and was appointed for other purposes, and without reference to his fitness or turn for the Educational Department. Whenever the President did interpose the effect was to diminish the interest which the Vice President took in his work, and that sense of individual responsibility which was so salutary and necessary a check on the performance of all duties. In his own opinion, it would be much better to make the Vice President the sole, as he was at present, the ordinary administrator, and to make him wholly responsible for the conduct of the Department. That was at least a question which demanded investigation. There was no intention of repeating a Revision of the Code; but he could conceive various minor points in the conduct of the Office which were well worthy of consideration. This was an opportunity which might advantageously be taken for putting an end to a number of questions which were continually being brought forward, but which had never been settled. As to the manner in which Minutes of Council were published, he was satisfied with the clauses on that point in the last edition of the Revised Code. They now understood clearly that when any Minutes of Council were passed by the Committee, they were to be laid for a month on the table of the House before they became law; and the right hon. Gentleman had introduced the useful practice of accompanying the introduction of new Minutes with explanations. Therefore there was now no fear of a Minute coming into operation without the House having its attention called to it, and being made aware of its nature. Another question was whether the number of Inspectors could not be reduced? Under the present system there must always be a great number of Inspectors, because each religious denomination required one. He believed, however, that the number, especially in Scotland, was needlessly large; and as to England there was no necessity for every kind of school in each denomination—and ragged schools, industrial schools, reformatories, and factory schools besides—having each a special Inspector. The House should contribute to no school not within the cognizance of the Education Department, and that one Department should be held responsible for the Estimates of every kind of school and present them together to the House. Another branch of the inquiry was whether the Government inspection and grants might not be extended to many schools which were now "unassisted." By that expression "unassisted" it appeared to be insinuated that these schools, designated as the poorest, were incapable at present of obtaining assistance. Now, he protested against that idea. If they were not assisted it was because they did not choose to take assistance. It was not because they were poor that they did not receive it. The same voluntary action would suffice everywhere, and be sufficient to meet the easy terms of the grants, if they desired it. In the cases cited by the hon. Member for Berkshire, it was found on inquiry that there were rich landowners who gave only a few pounds, and that was the reason why the schools were not receiving more assistance, the grant being always a subsidy to subscription This was the question upon which the fate of the whole system depended. He believed in this, as in all cases where any institution was supported partly by public and partly by private funds, the tendency always would be for the institution to rest ultimately on one or other basis of support. He might instance the old houses of correction, which were established as charities, and had ended by becoming State institutions. A more recent case in point was the reformatories, which had become more and more dependant on public grants, and less on private funds. In the same way these primary schools would, he believed, tend, not to the side of dependence on the Department, but to the side of dependence on voluntary support, partly because the Government would grow impatient of the expenditure, and partly because the system involved the great injustice that the rich towns must always have the lion's share, and the poor villages a very small proportion of the public grants. Whatever the conditions be of any public subsidy, the claimants who most easily fulfil them must get more in the exact proportion of their wanting less, and the inevitable limit must press against the neediest. But if, in order to reach the lowest claimant, we begin tampering with the general system, and allowing a scramble for public money outside the system altogether, we have really arrived at the end of a justification of maintaining any public system of money aid to schools at all. Better keep the annual million in our pockets, and dispense it as we please to our poor schools, than pass it through the waste of a public office only to do the same, with the addition of needless expenditure in rich schools also. He therefore demurred to the last reference to the Committee proposed by the hon. Member for Berkshire.

Sir LAWRENCE PALK said, it appeared to him that no greater or worse abuse in regard to the rural parishes of England had been inflicted for a great number of years than that inflicted by the Committee of Council on Education. The

right hon. Gentleman the Member for Calne throughout his speech seemed to assume that there could be no schoolmasters but those who were certificated, and no judges of education but those who sat on the Government benches. Against both these propositions he ventured to protest. He believed that in rural parishes if they had local rates, local influence, and local management, they would mete out some measure of justice, some measure of fairness, and education would be further extended. As it was, the principle upon which the incidence of the operation of the Committee of Council turned had been to tax the poorest parishes to enable them to aid the education of the richest. In Lancashire he knew they received more than they contributed; while his own county, Devonshire—a very poor one—contributed much more than it received. So glaring was the injustice that it had attracted the attention of a lady eminent for her munificence and her constant acts of charity, and who, of her own accord, had proposed a plan which, he was glad to say, had met with approbation from the members of the Committee of Council on Education. He was very sorry, however, to say that such alterations had been made by them in the plan as would render what would otherwise have been a boon wholly useless and of no sort of benefit to the county he had the honour to represent. The hon. Baronet proceeded to read a letter from the Rev. Reginald Barnes, of St. Marychurch, Devon, who had been active in grouping the parishes in his neighbourhood together so as to fulfil the requirements of the Privy Council. Mr. Barnes was of opinion that Miss Coutts's scheme would work well, because the management was adapted to local circumstances, but that the proposed Minute would deny assistance to many groups of necessitous parishes. The House had agreed, and wisely agreed, to limit the education of the people, at all events the education which they supplemented by their votes, to elementary instruction; and if it was right, as he assumed it was, that the country should educate its people, he contended they had no right to educate one portion of the community and leave the others in the grossest ignorance. The right hon. Gentleman (Mr. Lowe) evidently indicated throughout the whole of his speech his great fear, not that education should not spread, but that the nature of education itself should deteriorate.

Now, he (Sir Lawrence Palk) admitted that it was the duty of the country to teach the elementary knowledge of reading, writing, and arithmetic; but the moment they stepped beyond that, and educated a portion of the people to a degree which was equivalent to capital and wealth to themselves, to the detriment of those who were left without education, they inflicted a vast injustice: they gave to one portion of their population wealth and capital, and positively consigned another portion to hopeless ignorance and, unaided, educational destitution. Devonshire was a county, as were the western counties generally, containing a poor and sparse population, very much scattered; and he would ask them to compare for a moment the condition of those who had received the benefit which was derived by large communities from Government aid, with the educational destitution which prevailed in the poor and scattered districts to which he referred. If he wanted an illustration of the disparity between the education of the urban population and the want of education in the rural parishes, he had nothing to do but to refer to the hon. Member for Birmingham (Mr. Bright) whose absence at that moment he greatly deplored. That hon. Gentleman, addressing a large body of his sympathisers and admirers the other day, tumbled over an old joke attributed to the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli), by others to the noble Lord at the head of the Government (Viscount Palmerston), and by some traced as far back as the reign of Queen Flizabeth—namely, that the further he went west the more convinced he was that the wise men came from the east; and he seemed to find in that old joke a subject of amusement and great satisfaction. In his mind it created a different feeling. He felt ashamed that any one holding the high position of the hon. Gentleman, and pretending to have great influence with those whom he represented, should have gloried in that ignorance which the injustice of the law had created; but he could not believe that there was any such difference in bodies of men as to make the population of the north intrinsically more adapted to receive education than the population of the south and west. If they educated the one and failed to educate the other, then, indeed, the joke might be a good one, although it did not carry justice or common sense with it. If the sense did flow from the east, it was to be regretted that justice did not flow along with it. A statement had been put into his hands by the clergyman of St. Stephen's, Devonport, dated the 2nd of January, 1863, and he thought the House would be of opinion that the country itself was degraded by the possibility of such a state of things. The clergyman asked his support in behalf of some 3,300 of the poorest and most depraved classes who were to be found congregated at the rate of 200,000 the square mile among shopkeepers of a third-rate rate kind, beerhouses innumerable, and worse places still adjoining. They had schools there, in which between 300 and 400 of the children of the soldiers and sailors of Her Majesty's army and navy and of the labourers in Her Majesty's dockyards were being educated; the Church services were maintained by voluntary contributions, they had abundant helpers in the schools, but were sorely in need of pecuniary aid. It might be right, the hon. Baronet continued, to educate the urban population of the north; it might be right to relieve the agricultural parishes of the south in their destitution; but he thought no man in the House or out of it would say that it was right, proper, fair, or just, to leave in the streets of Devonport and Plymouth the children of soldiers, sailors, and marines, to the charity of ill-paid clergymen for their education, and to the charity of the public for that supervision which could alone preserve them from the temptations which abound in garrison towns. They had many schools in Devonshire; they had diocesan Inspectors and charitable institutions, but he regretted to say there was one establishment which was far below what was required, and would be filled if three times as large—the Devon House of Mercy, which was a refuge for those unfortunates, the daughters of those soldiers, sailors, and marines, who at the age of fifteen, and often younger, had become the prey of ignorance and distress in the streets of their garrison towns. The state of education in his own county, if there were no other reason, was sufficient to induce him to give a cordial support to the Motion of the right hon. Baronet (Sir John Pakington) and also to the Amendment of the hon. Member for Berkshire (Mr. Walter). He held in his hand a letter which gave instances of two extensive parishes, containing respectively a population of 460 and 330, in which the tithes belonged to the Dean and

Chapter of a populous city at a distance; the officiating clergy had but small salaries, there were no resident gentry, and the nearest town was seven miles distant in the one case and ten in the other, and yet, though they contributed to the fund for education like other parishes, they received neither an annual grant, a grant for repairs or building of schools, nor any grant in aid of education whatever. He had also in his hand a letter from a gentleman who occupied the important post of diocesan Inspector in the county of Devon, and who stated that out of forty-six schools in his district only twenty got Government money, though they all contributed more or less to the promotion of education; they were almost always supported by the personal exertions of the incumbents, and the burden was often very grievous upon persons of small means. In one case Government aid was refused, because there was no playground attached to the school, though it was situated on the verge of a moor, where the children could play and roam about at will; and in another because the master had inverted feet, the excuse in this case being that the children would suffer from looking at this deformity. However, after many excuses, and when at length driven into a corner, the Government admitted that the small places must go to the wall. He very much doubted, however, whether such a policy was founded in justice, or was wise or statesmanlike. While he thanked the right hon. Gentleman the Vice President of the Council for the boon which had been afforded to agricultural families, he pointed out that the requisition that each parish should have a school, and that the master should visit each school every week, and the limitation of the operation of the scheme to parishes within a mile-and-a-half of a population of 500 would materially impair its efficiency. The difference between the scheme of Miss Burdett Coutts and that of the Board was that the former made no limit to the duties of the schoolmaster, because confidence was felt in the efforts of earnest-minded men, such as diocesan Inspectors; while what the Government required was that the schools should fulfil the stipulations in order to obtain the small grant in case the results were satisfactory. He did not object to the urban schools having advantages in the form of night and other schools. Large populations had more right to assistance than sparse ones; but the provisions of the Revised Code ought to be extended to poorer parishes, on the principle that one and all severally contributed to the fund. He had given notice of a Motion which he should have made had not the right hon. Baronet have submitted the present Motion. As he (Sir Lawrence Palk) thought the line pursued by the right hon. Baronet better than his he should content himself with supporting the motion, and not persevere in his own Resolution.

Mr. F. S. POWELL expressed his great satisfaction that the Government had consented to grant this Committee, and for two reasons. First, because it was of considerable importance for the good working of our institutions that all branches of our executive Government should be subject to the most rigid supervision of the House of Commons. Secondly, because it was feared some years ago that the managers and masters of schools might prove too strong for the central body, it was not less necessary to guard against the central authority proving too strong for Parliament. It was true, as had been said by the right hon. Gentleman the Member for Calne (Mr. Lowe), that the subjects to be referred to this Committee were within the scope of the inquiry of the Royal Commission; but it was equally certain that the Report of that Commission gave no complete or satisfactory information as to the respective functions of the President and Vice President of the Committee of Council. The Commission reported that the Lord President was "*ex officio* the head of all Committees, and of the Committee for Education among others;" while the Vice President was described as "the Parliamentary head of the Department," and one who "assists the Lord President, and acts for him in his absence." The question here arose—was the Vice President superior to the President as his "Parliamentary head?" Was the "Parliamentary head" superior to the high officer whom he "assisted," and for whom he "acted in his absence?" The question as to the superiority of functions in these cases had not been answered. He confessed that he had heard with infinite surprise the statement of the right hon. Gentleman the Member for Calne (Mr. Lowe), that the conscience clause had not been enforced in the Church of England schools. The right hon. Gentleman had become facetious, and he talked about the fly and the microscope. The right hon. Gentleman had played the part of philosopher and the microscope, but he could certainly never have played the part of the fly, or he would have been conscious of the torture and wretchedness consequent upon the infliction of the conscience clause on the clergymen of the Church of England. He was strongly reminded of the old school-boy phrase "No compulsion, only you must;" and clergymen of the Church of England had submitted to the lesser of two evils and accepted the conscience clause rather than deny the benefits of education to the people. The hon. Baronet (Sir Lawrence Palk) had said in the North of England there was great assistance given to the schools, whilst in Devonshire and the south there was none. He believed that was not the case, but the truth was the North of England had been accustomed to assist itself —had not waited for others to assist it, but had been foremost in the struggle. Reference had also been made to Devonport and the other Royal dockyards; and he trusted the children of our soldiers and sailors would receive due attention in the matter of education at the hands of the Government. If, as the hon. Member had said, non-assistance was owing to the deans and chapters, the latter should remember that their functions were intended to be exercised in the interest of the people, and if such dereliction of duty could be pointed out he (Mr. F. S. Powell) hoped such a deep disgrace would be wiped out. The right hon. Baronet who moved the appointment of this Committee had alluded only to the action of the Committee of Council in Downing Street; but another department of the Committee — namely, that of Science and Art, which had its centre at South Kensington, would also come within the terms of the reference. That department was gradually getting a large number of various societies and institutions under its superintendence, and seemed to be casting a wistful eye even at the National Gallery. This tendency to absorb other institutions was one to be watched, and one department ought not to be allowed to absorb them without the full consent of the House. He regretted that Science and Art had not received a larger share of support, and that the British Museum was in the state of confusion which now prevailed there. The proper way to proceed, however, was not by beguiling the country into a high art, but by procuring from this House the co-operation which he was sure they would always be willing to afford in promoting such an object. In his opinion the inquiry now asked for should be granted, if only because of the unsatisfactory relations which now existed between the Committee of Council and those who devoted themselves to the work of education throughout the country. Those relations, although improved of late, were capable of still further improvement. Then the uncertainty which now prevailed so generally among the school managers and the masters would be very much diminished by inquiry. It was difficult to obtain pupil-teachers, of the male class at least, in consequence of the uncertainty which existed, and if the pupil-teachers failed the supply of masters would become defective. The right hon. Gentleman the Member for Calne had said that capital was as a coy maid, which would not easily lend itself to her admirers; but if capital was coy, confidence in a public Department was more so. Now, considerable disappointment had been felt in consequence of the interpretation put on the late night school Minute. If the managers had known that forty meetings of the school instead of thirty-nine were required, such number of meetings would have been held. The interference in the architectural arrangements of the school buildings had also been another source of disappointment. But if this subject were fully investigated, and if it were shown that these discontents arose partly from misapprehension as to what actually was taking place, and partly from doubt as to the remedy, he believed that in the place of apathy and slothfulness there would be activity and exertion. He did not wish to break down the safeguards of the grant as they now existed. He was anxious to maintain every safeguard calculated to call forth public assistance, but he did not think the safeguards should be all on one side—on the side of a great Department, and not on the side of the friends of education in the towns and counties. He hoped the result of this inquiry would be a more widespread confidence in the Committee of Council, that education would become more extended in England, and, finally, that the difficulties which had been suggested would be removed by a careful, an intelligent, and an impartial inquiry.

Mr. H. A. BRUCE: It was not my intention to offer any opposition either to the Motion or the Amendment now before the House. I cannot, indeed, altogether deny the proposition of my right hon. Friend the Member for Calne, that there is no necessity for this inquiry, inasmuch as ample information already exists upon the subject, nor that to some extent it is dangerous; but, on the other hand, I cannot but feel that the very appointment of the Committee may serve the useful purpose of restoring peace, harmony, and good understanding, both in this House and in the country, on the long-contested subject of education. It is admitted on all hands that great dissatisfaction and discontent exists, and my right hon. Friend himself gave good reasons for their existence—reasons alike honourable to himself and the Department with which he was connected; but that they did exist no one can doubt, or that considerable distrust had been expressed from time to time in this House. Therefore, it is of the highest importance in a matter which is no party question, but is one in which we are all interested, and in which the feelings of the country are so strongly bound up, that whatever tends to produce harmonious action should be conceded by Government, even though some little risk should thereby be incurred. I have already said I do not think the whole of the inquiry necessary, and with regard to the constitution of the Department I doubt whether any witnesses can add to the information on the subject contained in the Report of the Commission. The right hon. Gentleman (Sir John Pakington) has succeeded in showing to a certain extent that the constitution of the Department has its anomalies, and that it differs in certain points from all other Departments; but the right hon. Gentleman is too well acquainted with our constitution not to know that it is full of anomalies, and that in various Departments of Government may be found at least half-a-dozen such anomalies. But the question for the House to decide is simply whether the system works well, or whether it is ready with a new one which promises to work better. I, for one, have no faith in the reforms and improvements suggested by the right hon. Gentleman. I doubt whether the influence of the Department would be extended by its headship being vested in a Minister, and that Minister being in this House; neither do I see any reason to believe that he would necessarily be a Member of the Cabinet. On the other hand, there are various reasons why the head of the Department should be in the House of Lords, one sufficient reason being given by my right hon. Friend the Member for Calne—namely, that the Established Church was represented by the bishops in that House. The speech of my right hon. Friend the Member for Calne, however, showed me that our opinions do not exactly coincide as respects the exact position of the Vice President. I do not know that the measure of our differences is very great, but I myself have never regarded the Vice President as standing in the position of an Under Secretary of State. An Under Secretary of State is not necessarily supposed to take any part in the deliberations of his chief, while the Vice President is a Member of the Committee of Council, in which the policy of the office is decided. The right hon. Gentleman (Sir John Pakington) tells us that he had from the first foreseen the evils of the present arrangement, and he quoted the prophecies of Lord Derby, Lord Ellenborough, Lord Grey, and others, who anticipated failure upon the ground of the authority and responsibility being divided. But when the First Commissioner of Works, who was the first Vice President, brought forward in 1857 the Educational Estimates in this House, the right hon. Gentleman felt none of those apprehensions and doubts. He then stated that he derived great pleasure from the fact that the Vote for educational purposes was brought forward in that House by a Minister of Education, who was responsible for its various estimates. It was only the year after he was appointed, it is true; but I do not think that the right hon. Gentleman, who has given his special attention to the subject of education from that time until the present, both within and without this House, ever, until last year, fixed upon this particular evil as the cause of the shortcomings of the Educational Department. But the right hon. Gentleman has shown that he has confounded the defects of the system with the defects of the organization of the Department, because he has contended that it was owing to that organization that education had not extended into the poorer districts. It is unnecessary to go over the ground that my right hon. Friend the Member for Calne has trod with so much ability and power, but surely the right hon. Gentleman (Sir John Pakington) must now see that the Department cannot be blamed or held responsible for the defects of the system it has had to administer, and which had been decided upon after repeated discussion in this House. That system is founded upon two principles, that of affording aid to voluntary efforts, and of making effectual provisions for the improvement of education; with what justice then can the Department be reproached for failing to assist districts in which no voluntary efforts have been made, or which have failed to comply with the required conditions of efficiency? We have heard this evening from the hon. Member for Devon that some county and some town districts were unassisted, but he forgets that in this metropolis there are more unassisted districts than in any other part of the country. This is not from want of wealth; the people may be poor, but the property is there, although it is unfortunately in the hands of those who have no zeal for education, or if they have who show it elsewhere. The problem to solve, therefore, is how are we to assist districts of this description, and if my hon. Friend the Member for Berkshire (Mr. Walter) will enable us to solve it without destroying the leading principle of the Code I am sure both I and the whole House will be very thankful to him. But I confess, however much I should like to see it solved, whether through the proposed Committee or not, I have but little hope that he will find the solution. The right hon. Gentleman (Sir John Pakington) has clearly indicated what he intends to propose — namely, to intrust to local bodies the duty of extending assistance to places not hitherto reached. But can local bodies be safely trusted with the expenditure of Imperial funds? Can you venture to dissociate expenditure from responsibility? That would be the introduction of a most dangerous principle. The Department has been reproached, especially by the hon. Member for Devonshire, for deficiencies in this respect, but surely the hon. Member must recollect that the subject is not now pressed on the attention of the House for the first time, that these deficiencies in the system were notorious and had been made the subject of repeated inquiry, and that plan after plan has been invented to remove them. We all remember the Manchester and Salford scheme, the nearest approach to a national system ever propounded, and which was discussed at great length, and received with great favour by a certain party, but which fell to the ground before the strong opposition offered to it. Then there came the proposition of the right hon. Gentleman opposite (Sir John Pakington), that every parish in the country might, if it chose, levy rates for the support of schools. That experienced opposition in this House on the ground of objections to a system of rating for such a purpose, and also because that system, it was contended, would fail exactly in those districts which it is most difficult for education to reach. Then there was the plan of the noble Lord the Secretary of State for Foreign Affairs, the general principle of which was that a parish should be bound to maintain a school just as it was bound to maintain its highways, and should be compellable to do so. This was in fact a compulsory system of education, differing however from the German system in this respect, that it did not compel attendance at school, but only the provision of sufficient schools. Next came the recommendations of the Royal Commission, which were, in effect, that the aid given by the State through the Privy Council should be continued, but be supplemented by further aid given by county boards out of the county rates on conditions less stringent than those imposed by the Committee of Council. The right hon. Gentleman has more than once reproached the Government for not having adopted their recommendations, forgetting that during the long discussions which followed the publication of the Report of the Commission, his was the only voice which advocated that portion of their scheme. The right hon. Member for Cambridge University brought forward certain Resolutions in opposition to the Government, and they formed the basis of the Revised Code. From no side of the House did the recommendations of the Commission receive any support, and the silence with which they were treated was even more significant than the active opposition given to Lord Russell's scheme. The Education Department has been reproached for not anticipating the suggestion of the noble-minded and generous lady to whom allusion has already been made. Now the subject of education was so generally interesting that many active and intelligent minds were constantly occupied in suggesting schemes for its improvement. It was the duty of the Education Department to listen to every useful and practical suggestion, whencesoever it came, and they had done so in the present instance. It was found not to militate against any principle of the Code, for a certain number of schools would be attended by a certificated master, and Government would thus have the means of reaching districts not hitherto accessible. We therefore willingly and gladly adopted the suggestion in question. The right hon. Gentleman said that there are doubts whether this system is likely to be very effective. I will not prophesy, but though there are, indeed, difficulties connected with it, they are not so great as those involved in the scheme which the right hon. Gentleman suggested —the forcible union of a number of parishes into one. He said that we should take power to unite parishes; but the hon. Gentleman had not, at the moment, present to his mind the foundation of our whole scheme of education. We have no power to compel, though we might invite, parishes to combine and then give them assistance. Let me however give the House an example of the obstacles to such a plan. In 1856 we were asked to assist in aiding a common school for two parishes. The Committee of Council on Education made a grant of £600 and the school was opened, but afterwards a difference arose between the clergymen belonging to the two parishes, and one of them prevailed on his parishioners to withdraw their children. Subsequently an application was made to the Education Office for a grant of money to pull down the school, because it was too large for the children who attended. Many instances can be adduced showing how extremely difficult it is to get parishes under the guidance of different clergymen to unite for this purpose, though the object might be effected in a case where a gentleman of great local influence can prevail on different clergymen to concur in the union. The scheme contained in the recent Minutes is not exposed to the same dangers. All that would be necessary under it would be for a certain number of parishes to agree upon having one master. That master would attend the different schools, and at each school he visits he would be under the influence of the clergyman or manager who gave his attention to that particular school. The House is, perhaps, not aware of the immense number of small parishes collected together in different parts of England. I have selected a few of the most striking examples. In Northumberland there are 540 parishes, of which 455 have a population less than 500; Norfolk has 737 parishes, in 498 of which the population is under 500 ; Lincoln has 749 parishes, out of which 522 have a population less than 500; Somerset has 490 parishes, and 287 of these have a population less than 500; Hants has 345 parishes, of which 187 have a population less than 500; and Yorkshire has 1,628 parishes, 1,121 of which have a population less than 500. The scheme enables not only small parishes to unite, but any number of schools may combine for the same purpose. It may therefore be hoped that this scheme in conjunction with other relaxations introduced from time to time may go far to mitigate the inequalities of the present system. During last year no less than 184 masters and mistresses obtained certificates on examination, without having passed through a training college. As many as 124 pupil-teachers have, under the provisions of the Revised Code, been provisionally certificated as teachers of rural schools. These can be got for an annual salary of about £40. There exists, therefore, no great difficulty in getting certificated masters, considering how much the qualifications have been reduced. Again, I cannot but allude to a passing remark of my hon. Friend the Member for Berkshire for the purpose of protesting against a mode of argument and attack too much resorted to. The right hon. Gentleman gave me credit, which I do not deserve, for inserting certain interesting tables in last year's Report. It is true I signed that Report, but it is, subject only to such alterations as I might suggest, the Report of my predecessor in office. The hon. Member for Berkshire asked what was the secret purpose of introducing those tables, and suggested that it had some disguised and selfish object. I answer that its sole object was the information of the House. The Government are called upon to administer the system fixed upon by the House as the only one possible, and it is their duty to show how far it has succeeded, and where it has failed. I have said that I do not myself see how the labours of the proposed Committee can result in any very considerable improvement of the present system; and in acceding to the wish of the House that the Committee should be appointed, the Government are as much actuated by the desire to restore confidence and peace as by the hope that any useful suggestions may flow from it. And I hope that the Committee which will be selected by the right hon. Gentleman will be so constituted as effectually to guard against the dangers which have been anticipated by the right hon. Member for Calne, as also to weigh the suggestions that will no doubt be liberally offered by the various witnesses who may appear before them. The hon. Member for Cambridge has touched upon the conduct of the Department with respect to the conscience clause, and spoken of that clause as having been forced upon the unhappy clergyman, who has been driven either to accept it or abandon his school. But all the hon. Member's sympathy was shown for the clergyman, and not for the children of Dissenters, who, but for that clause, would be excluded from the school. As the right hon. Member for Calne said, the conscience clause in one sense is not enforced; but, acting upon one of the oldest rules of the Code, the Government have felt themselves bound in the case of a parish which can have only one school, to see that the religious convictions of the Dissenting minority are not violated. The conscience clause is so worded as carefully to avoid any interference with the religious teaching, which goes on as before, power being reserved for the parent, who is the best judge in what creed he will have his child taught, to withdraw his child from the religious teaching. It is quite true that it is only within the last five or six years that the conscience clause has been insisted on. I make that admission; but the fact is that about that time it was found that a second school was frequently called for, on account of religious dissensions, in parishes for which one school was amply sufficient. The Department, being bound to consider the principles on which the grant was made, therefore decided, wisely, I think, never to make a grant for a parish in which there was a certain minority of Dissenters, without proper security been taken against the violation of their religious convictions. I will give an instance which has come within my own knowledge during the last few days of the necessity for such a provision. In a parish in Lincolnshire two children of Baptist parents were sent to a National School, built with money partly granted by the State, but at a time previous to the suggestion of the conscience clause. In a few weeks the clergyman informed the parents that unless their children were baptized they must be withdrawn from the school. The parents hesitated for some time, but, having no other school to send their children to, they were obliged, against their convictions, to have them baptized. A few years afterwards they sent another child to the school, and again the clergyman insisted that it should be baptized. The parents refused to comply, and the child was withdrawn, and at this moment there is a correspondence going on with the clergyman and the trustees in that case. Of course we have no right to interfere. The clergyman is acting in his strict right—he has the power to exclude all those who refuse to learn the catechism or attend the church. But I ask whether this is not the sort of case which amply justifies the conscience clause? Knowing how powerful an instrument the Church is in the education of the rural districts, and that in those districts the cause of education depends almost entirely upon the vigorous and active co-operation of the Church, I have but one feeling, and that is a desire that this question may be settled upon terms honourable to her and honourable to ourselves. But the House will perceive that these grievances having been once found to exist it is impossible that they should remain unattended to. How they should be dealt with may properly be considered in the Committee, for this difficulty has been one of the principal reasons why education has not extended itself as rapidly as it might have done in the rural districts. If this question alone can be satisfactorily settled, I am convinced that the labours of the Committee will not have been in vain.

Lord ROBERT CECIL: Sir, I am not about to enter into any lengthened controversy with the right hon. Gentleman who has just sat down on the subject of the conscience clause. I do not entirely agree on that point with my right hon. Friend who made this Motion. I am not so satisfied as he is as to the good effects it is calculated to produce, and I do not conceal from myself so much as I think he does the difficulties which accompany it. But I would remind the right hon. Gentleman the Vice President of this Department that the existing system derives its whole energy for the spread of education from the co-operation of religous zeal; and that if you choose to accept the co-operation of that zeal you must accept with it all the conditions which it involves. Men do not care to teach a boiled-down, diluted, colourless religion. They care to teach that religion in which they themselves believe. They will not teach a mere system of morality, divested of the cardinal truths upon which they hold that their own salvation depends. This is not the place for me to argue whether such a belief is right or wrong; but I want to point out to the right hon. Gentleman and this

House, that, if you choose to accept the powerful aid of this religious zeal, you must not conceal from yourselves that what you call an exclusive religion is one of the conditions of the operation of that zeal. But I should like to reserve till some other time the more extended discussion of the question of the conscience clause, because I am bound to say that my right hon. Friend the Member for Droitwich did not enter into its merits. He went only upon the constitutional ground common to those who approve the conscience clause and those who regard it with distrust. He advanced the doctrine, which I maintain to be a fundamental doctrine, that any measure so important as the enforcement of the conscience clause ought never to have been undertaken by an executive Department without the deliberate and formal concurrence of the House of Commons. I was pleased to hear the speech of the Vice President of the Committee of Council for one reason, that he begun by entirely endorsing the speech of the right hon. Gentleman the Member for Calne. He said that in one sense—and I was surprised that a right hon. Gentleman with such liberal opinions should have two senses to such words—he said that in one sense it was true that the conscience clause had not been enforced. But as he proceeded his native truthfulness overcame his official discretion, and he went on to say that it had been insisted upon. Now, I want to know what is the precise difference between enforcing it and insisting upon it. The right hon. Member for Calne is undoubtedly distinguished in this House by great abilities and much influence; but it will be allowed that he is rather addicted to a habit of refining upon words; and I think he has given way to this propensity in the present instance. It is well known that the Committee of Council have not enforced—because they have not the power of life and death—but have made it a condition of their grants in certain cases that the conscience clause should be adopted. I do not imagine that hon. gentlemen on the Treasury Bench will deny that. But if that is the case, you cannot say that the conscience clause has not been enforced. The right hon. Gentleman who has just sat down is an orator eminently suited for his position in this respect, that he very rarely says anything which can offend those who disagree with him, and is very careful in stating his own opinions—which he does with all candour and straightforwardness—to employ no phrase to which an opponent can object; and if only that right hon. Gentleman had spoken, this debate could not have been continued much longer. But the right hon. Member for Calne is a Gentleman of a different temperament. The intensity of his convictions and the strength of his impulses prompt him to use language of a more decisive character. The right hon. Member for Calne impugned in the most absolute manner the whole of the argument advanced by my right hon. Friend the Member for Droitwich. He denied that there was any want of fixed responsibility in the present constitution of the Committee of Council; and he went on to illustrate that position by telling us that the whole responsibility for the conduct of the Education Department in this country rests with Lord Granville. Well, Sir, I should be satisfied, without a single argument further, to rest upon that admission the proof that there is no very definite responsibility on the subject of education. But the right hon. Gentleman went on with what I should have thought the hopeless attempt, at all events in this House, to contend that the Minister for Education, being the Lord President of the Council, and being the only man responsible for the conduct of this Department, ought to have a seat, not in the House of Commons, but in the House of Lords. And the proof he advanced for that doctrine was this, that the educational grant was distributed mainly among members of the Church of England, and that the Bishops of that Church have seats in the House of Lords. I was pleased to find in him so enthusiastic an advocate of the rights of the Church of England, and I could not help thinking that his removal from the Treasury Bench had effected a marked change for the better in the right hon. Gentleman. It is a new development of his character. But I confess that this boon would have been of more value if the Bishops had the slightest power of interfering with the grant for education. But it does so happen that the House of Commons, acting on the unquestionable usages of centuries, have always contested with the Lords their right to interfere with grants of public money; and the consequence is that there is no power in either the Bishops or the House of Lords to interfere with or modify to the extent of a single penny the grants on which the efficiency of the educational system depends. Taking a more constitutional view of the subject, I should say that the Minister who is responsible for the great expenditure of a Department ought rather to have a seat in the House of Commons. From this House all expenditure flows, in this House is determined on what objects the expenditure of the country shall be bestowed; and it seems to me a vital defect in the organization of the Committee of Council that the Minister who is really responsible for that Department is beyond responsibility to the House of Commons. But then the right hon. Gentleman advances an argument which I confess struck me as one of a very cogent character. He told us that if the Minister of Education were in this House he would be liable to be abandoned by his colleagues; that when he brought forward great measures on Education, his colleagues would decline to support him, he would not be backed up by those who sat beside him. I acknowledge the conclusiveness of that argument. It is evident to any one who remembers our recent history how effectively the Minister of Education has been backed up by his colleagues in the House of Commons. We know that on all occasions they have protected him by careful organization against any chance defeats, that they have been careful to push forward his measures at whatever costs to themselves, that they have never stooped to a device in order to cover him with confusion and to save themselves from a Ministerial defeat. In that point of view, the right hon. Gentleman has a great deal to say for his personal experience in favour of keeping the President of Council in the House of Lords. The right hon. Gentleman made a very, earnest impassioned speech, but it was a speech with this peculiarity, that it was filled with admissions that supported to the very utmost all the arguments of the right hon. Baronet the Member for Droitwich. For instance, I think the burden of his speech was to tell us that the system of the Education Department was full of complexity, and that it was intensely unpopular with the country. He concluded a very eloquent and animated peroration by lamenting that unpopularity, and drawing a sort of moral on the ingratitude of the people who had been served so well. But I should have thought that a system so intensely unpopular and so complex that no one could understand it was a legitimate subject of inquiry by the House of Commons. Then the right hon. Gentleman went on to anoother admission. He told the House that the Education Department possessed a *quasi* legislative power. Now, I can hardly conceive that anybody could have expressed more clearly and more aptly the precise nature of the objection that we on this Bench have to the constitution of that Department. We do not like a *quasi* legislative power—this *imperium in imperio.* There is one legislative power in the kingdom, and that is the Parliament of Great Britain and Ireland ; and any other power which interferes with that is dangerous to the State and perilous to the liberties of the subject. And see how that *quasi* legislative power works. The right hon. Gentleman has introduced in his time many important changes in the Educational Code. He does not conceal the importance of the changes he has introduced. He tells us he has destroyed the vested interests of 10,000 schoolmasters, and turned adrift 15,000 managers. I cannot recapitulate the enormous changes which he, with feelings of self-complacency, recounts. Is it, then, any presumption in the House of Commons that they should wish to have some share in such changes, and to determine whether they are right or wrong? There is no doubt a form gone through when these changes are made. The Minutes of Council are laid on the table of the House; and if any hon. Member can get a Tuesday within a month, and if he is not "counted out," or beaten by an accidental division, it is possible not to reverse a particular Minute, but that he may induce the Committee of Council to lay upon the table another Minute differing by illusory alteration from that of which he has complained. That is the extent of the power of the House of Commons over the Minutes of the Council. We are well acquainted with the changes introduced in the national system of education by the Revised Code, the extent to which they affected individual interests, the extent to which they affected individual interests, the panic struck into the managers by the alterations in that Code. An hon. Friend of mine, the Member for Berkshire (Mr. Walter), proposed to the Committee at the time a measure which he thought, rightly or wrongly, would correct the evil tendency of the Revised Code, by giving effect to it in its ultimate and most logical results; but he was beaten by a majority of seven. We all know how far a majority of seven expresses the opinion of the House and how easily it may be reversed on a future occasion. But the rules of the House, provide that a negative having been once given the decision could not be challenged, and the Committee of Council were able to carry the Revised Code into force without the corrective condition, and the hon. Member for Berkshire was left to another year to renew his Motion. Last year we had occasion to object to what we thought a most dangerous innovation of the Committee of Council on the subject of the endowment of schools. It was not merely that they had altered the condition of their grants, but by a careful and most ingenious blow they struck at the very principle of endowments. They tried, and they succeeded for a time, in deciding as a principle of State policy that endowments are not the property of those for whose benefit they are made, but are part of the public property of the State. A principle more fraught with danger it is impossible to conceive. Well, this Minute was laid upon the table; objection was taken to it, a debate resulted, and the opinion of the House was manifested against it. The right hon. Member for Calne, willingly or unwillingly, was compelled to give way, with a promise that he would introduce a new Minute in accordance with the opinion of the House. We thought we had obtained a victory, and that the odious Minute would be revised. Not a bit of it. A slice was taken off the corner, and the Minute, so improved, was introduced, and the opinion of the House again challenged on the subject. Owing to the want of speakers or some of those other accidents so common in this House, a snatch division was taken just before dinner. There were Members enough outside the door to carry the division against the revised Minute, but the Government carried it by a majority of eight. By this peculiar arrangement, by which the decisions of the Committee of Council are only submitted to the House in the form of a Minute laid on the table for a month, that "snatch division" could not be reversed. The right hon. Baronet the Member for Droitwich, later in the Session, desired to ascertain the opinion of the House on the point; but you, Sir, forbad him to proceed, laying down that the decision of the House once made could not be reversed in the same Session. Supposing that instead of this despotic proceeding on the part of the Committee of Council, they were subject to the same conditions as other departments, and compelled to come to the House for an Act sanctioning what they proposed,—the question affecting public money, religion, education, the vested interests of tens of thousands of men, the good faith of the State, the managers of schools who had made great sacrifices with a patriotic aim—supposing the Government compelled to ask for an Act of Parliament in order to carry out their views, should we have been confined to a single issue? The wisdom of our ancestors for centuries past has provided that important measures shall be submitted again and again to the House of Commons before they become the law of the land. There would be the first reading, the second reading, going into Committee, each stage in Committee, report on Committee, the third reading, the question that the Bill do pass—in all these stages it would have been open, again and again, to test the opinion of the Commons, so that no change affecting the liberty of the subject should have been agreed to till it was ascertained that it was the determined and deliberate will of the House of Commons. These may seem to be mere questions of form. To my mind they are all important questions of substance. If it is right that upon one single vote principles of this importance should be decided, if the education office has a right to carry off as a permanent triumph any "snatched division," then all the principles of the House have been radically wrong. Either we ought to alter the principle on which Acts of Parliament are passed, and allow the Government to pass Acts of Parliament by Minutes of Council, to be laid from time to time on the table of the House, leaving it to hon. Members to challenge them within a month, or else the Minutes of Council ought to be subjected as frequently and as thoroughly to the decision of the House of Commons as any other subject that comes before it. The so-called *quasi* legislative power of the Council is nothing more than juggling the House of Commons out of its authority. If the revised code had been submitted genuinely and honestly to the House of Commons the result would have been very different. There is only one other point to which I desire to allude. The right hon. Gentleman (Mr. H. A. Bruce) has referred to the wide discontent which exists in the country with respect to the operation of the education law. The right hon. Gentleman (Mr. Lowe) seemed to think it rather a creditable thing than otherwise, and claimed credit for the boldness with which he challenged the ill-will and the discontent of the managers of schools. If that is a virtue there is no more virtuous Member of the House than the right hon. Gentleman. But it is more in accordance with the practice of the House to believe that when any wide-spread discontent exists that that discontent ought to be made the subject of careful and anxious inquiry. My own impression on the matter is this. I do not wish to speak of anyone not present in a tone of censure, but no doubt the managers of schools and the clergy have been annoyed by the manner in which the power vested in the Secretary of the Council has been exercised. I wish to make no charge wounding the feelings of that Gentleman. On the contrary, if I accuse him of anything it is this —that being an able man, and having strong views of what was good for the country, he grasped at the power of carrying those views into effect. But there is no doubt that the feeling exists far and wide that the responsibility of the Education Department to Parliament is a sham— that the practical power is centred in a permanent officer, and that so long as he entertains opinions hostile to the straightforward and proper working of this educational system, and retains the power which he now possesses, the Education Department and the managers of schools throughout the country will never be brought into harmony. Whether that be so I am unable to judge. I merely express the feeling of discontent which I have heard out of doors. But whether this feeling be just or not, it is fair to the managers of schools, and it is no less fair to the Secretary of Council himself, that that should be made the subject of careful inquiry. We ought to ascertain whether any undue power is lodged in men who are not responsible to Parliament. If we are certain that there is not, their guiltlessness ought to be published to the world—we ought to show on whom the responsibility rests, to make it so clear that there can be no doubt, and that thereafter the clergy and managers of schools throughout the country may understand that responsibility, and may fix upon Parliamentary officials such responsibility as is their due. It seems to me that in the present state of opinion out of doors, and considering the discontent and difficulty which has existed for the last six years, there is ample cause and justification for inquiry.

MR. AYRTON said, that the remarks made by the noble Lord who had just sat down might induce the House to believe that hon. Gentlemen sitting on the Opposition benches only, were averse to the granting of money for educational purposes, except by Act of Parliament. But in that view of the question he cordially concurred. He had on a former occasion contented himself with entering a protest against the practice of making educational grants, and had patiently awaited the time when a better feeling would take possession of the House, and when that assembly would return to those constitutional powers which had been referred to in the course of his speech by the noble Lord. He did not certainly agree with the references which had been made by the noble Lord to his right hon. Friend the Member for Calne. It appeared to him that the educational grant, which, as they all knew, began with a very small one, had crept—for he would not say grown—up in an unsatisfactory, skulking manner, instead of by bold, healthy, and vigorous strides, and the result was, that they had introduced into this country, by the intense cleverness of a number of persons, an elaborate system of State—or what its promoters were pleased to denominate—national education, while masking and covering their ideas in popular opinions. The grant had increased from £30,000 to a sum bordering upon £1,000,000, and with this increase had crept in numerous abuses, for the subject had been dealt with from the first with studied artifice and concealment of purpose. His right hon. Friend (Mr. Lowe) on accepting office had found these difficulties to deal with, and if any Minister had the power of granting £1,000,000 over the country, it was impossible for him to attempt any correction of abuses without becoming the most unpopular man in the kingdom. If he were told that his right hon. Friend had made himself unpopular, he could not but regard the circumstance as a proof that his right hon. Friend had performed his duty. He thought that his right hon. Friend had been eminently successful in checking the abuses which had crept in, and in laying the foundation of a better system, and he believed that that Gentleman had rendered more service to the country than any Minister who occupied the Treasury Bench during the present Administration. He felt convinced that the Education Department fell when his right hon. Friend resigned his office, for his right hon. Friend had doomed the Department by the vigorous course which he had adopted, and the House had now come to see the necessity of dealing with those questions upon a constitutional basis. The whole matter now seemed to be in the hands of the autocrat of education in another place. The House would have to take the disposal of the money into its own hands, and have a responsible Minister in the House. If the right hon. Member for Calne (Mr. Lowe) had been such a responsible Minister, there was no doubt he would have been able to maintain his own. The efforts of his right hon. Friend, even under the difficulties alluded to by the noble Lord, had, he was satisfied, been attended with a material and beneficial alteration in the mode of education. He was perfectly content that his right hon. Friend should labour under temporary unpopularity, because he felt convinced that the people would ultimately appreciate the sacrifices which he had made in the cause of education.

MR. GATHORNE HARDY: It would seem from the speech of the hon. Member for the Tower Hamlets that the State has been the founder of education in the country, and has been doing something which entitles it to interfere in the management of the education of the country. Now, I entirely repudiate any such notion. The education of the country has been founded mainly on the voluntary efforts of the people. The hon. Member for Sheffield cheered the statement that four-fifths of the grant went to the clergy of the Established Church; but the fact is, that they have been the founders, and supporters, and maintainers of the education of the country. When we are told that 11,000 or 12,000 schools are neglected by the State, and that grants are not given to them, it shows that the system of education is a voluntary one, to be supplemented by the State, and that the State has abstained from exercising any direct control, and is contented that the system shall be voluntary; that the State will aid, but will not take upon itself the control or management of education. Of course, to a certain extent it must interfere. It must see that the school houses are of a proper description, that the schools are under proper discipline, and that sums be raised voluntarily to justify the State in rendering assistance. But it was never intended that the State should interfere with the religious instruction given in the schools. Practically, these schools throughout have been founded upon religion. Those Gentlemen who are in favour of secular education have tried to establish their systems in this country, not with their own money but with that of the public. Every attempt to establish such a system either by grants or rating had entirely failed; but with the religious system it was different. The people interested in religious education have given sums enormously large compared with any State grant, and therefore it is that they feel aggrieved when they are interfered with by a system being forced on them by the Department different from that which they have given their money to support. I will not enter into any discussion on the subject of the conscience clauses. Nothing has surprised me so much as to hear from the right hon. Gentleman opposite that this is to be a subject of inquiry before the Committee. The inquiry of the Committee, as I understand the matter, is to be entirely confined to two questions—the question of the constitution of the Department which is to assist education, and the terms on which it ought to make its grants. The object of the Motion of the hon. Member for Berkshire is to call attention to the want of assistance in the case of small schools which cannot afford a certificated master, without entering into the question of religion at all. I am quite satisfied that if it had been supposed that the right hon. Gentleman was proposing to remit to the Committee the consideration of a question so great as that which has incidentally been introduced into the debate, the discussion would have been one of a very different character. The speech of my right hon. Friend (Sir John Pakington) was confined to those points which he considered of importance, and when he referred to the conscience clause he merely said that it was introduced suddenly without having been brought under the consideration of this House. I rise to enter my protest against that question being referred to the Committee. Before referring it in that manner the question ought to be more seriously discussed, and attention ought to be called to the cases in which the conscience clause has been enforced. I trust it will be understood that the inquiry of the Committee is to be confined to the subject to which my right hon. Friend and the hon. Member for Berkshire have addressed themselves, and that we shall leave the conscience clause and the question of deduction for endowments to be considered on their own merits. They do not affect the constitution of the Committee, or the system on which they act, but they affect principles upon which it may be necessary for the House to decide at some time or other. The Committee is to inquire, not into new systems of State or local aid, but the mode of administering the Parliamentary grant. I will now call attention to the limitation of the powers of the Committee contemplated by the terms of my hon. Friend's Motion. It runs as follows:—

> "And also into the best mode of extending the benefits of Government inspection and the Parliamentary grant to schools at present unassisted by the State."

Therefore if it is supposed this Motion is to lead the Committee into any wide discussion as to new methods of dealing with religious questions, or as to rates for educational purposes, that is, I say, a great mistake. I think that it is not competent for the Committee to go beyond the terms of the Motion into any subject on which Parliament has already decided. The House has already decided that the denominational system is that which is supported by Parliament, and I hope the House will adhere to that, and not allow the Committee to re-open that subject until at least it has been previously discussed by Parliament.

MR. HENRY SEYMOUR hoped that the terms of the Order of Reference would be sufficiently wide to enable the Committee to decide what the functions of a Minister of Education ought to be. The Privy Council was intrusted not only with the annual grants for educational purposes, but with the sums yearly voted for purposes connected with science and art. He could not understand why a departmental division should any longer exist, and why the duties at present intrusted to the Department of Science and Art should not be confided to the Minister for Education. The Committee might also inquire advantageously whether great educational departments such as those of South Kensington and the British Museum should not be intrusted to the same hands, the House under the present system being obliged to gain its information indirectly—with regard to the British Museum from some one of the trustees who happened to be a Member of the House. In endeavouring to draw out the Education Department from the great body of the Privy Council the House would be following strictly constitutional precedents. The legal tribunals of the country had gradually absorbed among themselves the jurisdiction originally exercised by the Sovereign in Council, and in the last century, when the colonies grew into importance, the Board of Trade and Plantations assumed a separate existence. Only ten years ago the colonies were separated from the Ministry for War, and the President of the Board of Trade was now charged with special functions of such importance that the Chamber of Commerce at Manchester suggested a yet further separation, as one likely to be highly acceptable to the commercial community—namely, that the President of the Privy Council should be separated from the Privy Council, and made a Minister of Commerce. The time was rapidly approaching when the offices of the Government ought to be remodelled. There was this Committee of Privy Council for Education; but education was a growing subject in this country and required a separate department for itself. No doubt the Secretaryship of the Poor Law Board was an office not required; but education was a rising department while that of the poor law was a falling one. In a well established community like ours, with the immense wealth we possessed, there ought to be no pauperism; but as wealth increased so ought education to increase likewise, and there ought to be a Minister of Education separate from the Privy Council; and if they had the Department represented in both Houses of Parliament that would not be too much for its importance. He hoped that the right hon. Baronet in his Order of Reference would take sufficient scope so that the Committee might be enabled to give full and complete recommendations to the House—so that next year, whatever Government might be in power, some perfect organization would be inaugurated. There was one other subject which he hoped would be referred to the Committee. The position of rural parishes required to be re-formed, owing to the imperfections of the Revised Code brought in two years ago. It could not be expected that the rural districts would submit to pay their quota of taxation, receiving nothing in return. If land in a rural district were charged with the support of a school conducted by a certificated master it diminished its value very materially, and yet the proprietor reaped no corresponding benefit in a pecuniary sense. He should like, therefore, to see some changes as to certificated masters. No doubt the certificated master in a small rural parish would not have enough to do, and the proposition to unite such parishes was a wise one; but he (Mr. Henry Seymour) would have the Committee go much farther, and if it recommended an ecclesiastical as well as a civil union it would confer an immense benefit on the country. Such a measure would not only resolve the educational difficulty, but the clerical difficulty too. The hon. Member for Berkshire had well pointed out that a clergyman in a small rural parish had little to do. In any place with fewer than 1,000 inhabitants there was less than a man of vigour could attend to. It would be a great boon if such parishes were united for every purpose, agricultural, social, educational, and clerical. He wondered the Home Department had not taken up this subject years ago. It was quite unreasonable to expect the landowners to go to the great expenses of school buildings and a certificated schoolmaster; and it was equally unreasonable to expect gentlemen to subscribe £3,000 or £4,000 to increase the clergyman's stipend of £100 to something on which men could live. That was the reason of the failure of so many of these diocesan meetings for the increase of endowments. The Government had good grounds for such a step, for it was recommended fourteen years since by a Committee of which the Earl of Shaftesbury was Chairman. If this system were introduced they would not hear of cases like that mentioned by the hon. Member for Merthyr Tydvil, where £500 was given by the Privy Council to some united parish schools, and after they were united they wished to be dissevered. He was astonished that the right hon. Gentleman (Mr. Lowe) should say that this Committee was unnecessary. What subject was less understood? What subject was of greater importance than that of education? The question of night schools was far from being settled; and there were many other subjects which would be inquired into by the Committee. After some allusion to lower middle class education, in respect to which he said we might take pattern by the United States, the hon. Member concluded by moving, as an addition to the Order of Reference, that the Committee should inquire whether some portion of the duties of the Department of Science and Art could not be transferred to the Board of Education.

MR. SPEAKER informed the hon. Member that he could not move the Amendment at present. The state of the question was, that no Amendment having been proposed to the first branch of the original Motion, that part would stand and would have to be submitted to the House in its complete form. But the question now before the House was whether the words proposed by the hon. Member for Berkshire should be added, and if any hon. Member proposed to move an Amendment upon those words it would be open to the consideration of the House.

MR. HENLEY said, he had not intended to take any part in the discussion, having understood that the Government had consented to the appointment of a Committee and also the Amendment of the hon. Member for Berkshire (Mr. Walter); but the hon. Member who spoke last seemed to desire to make the Order of Reference very wide and the Committee very strong. Considering the subjects which the hon. Member for Poole (Mr. Henry Seymour) wished to be added, it would also be desirable that the duration of this Parliament should be extended for another five or six years, because he wished not only to discuss middle-class education, but to consider the union of parishes, and, of course, the pulling down of churches, which would then, of course, become unnecessary. To consider these subjects the Committee would certainly require a very ample allowance of time. Coming, however, to the subject more immediately before the House, he must remark that during this discussion he had heard one or two very curious statements. They used to be told that certificated masters were necessary in order to impart a higher degree of instruction than the old dames were able to give. But when Canon Moseley parted from the Privy Council he left, as a legacy, his last report, in which he stated that unless they could manage to keep the children at school beyond the age of nine or ten, he was bound to tell them that certificated masters could not give as good an education as the dames, and, therefore, the high training of the masters would be a waste of money. In some years after that, every effort was made to keep children longer at school, so that they might obtain the benefit of those highly-trained master. Then the question assumed another phase. The right hon. Gentleman the Member for Calne had told them that those highly-trained masters were not wanted so much for the high-training of children as for those little ones called "blesseds," those from two to six years of age, who received the name of "blesseds," because money was drawn for them without their having to undergo examination, and he must say they honestly deserved the name. The right hon. Gentleman the Member for Calne now said that highly-trained masters were required for these children. Why? Because, said the right hon. Gentleman, you must have them to secure moral teaching. But the right hon. Gentleman told the House when the Revised Code was under discussion that the State had nothing to do with teaching religion. Did he, then, now want moral teaching without religion? What kind of moral teaching was it that these highly-trained masters were to give? One would have thought that the denominational system, which was supposed to be based upon religious teaching, would have been sufficient, and that the "blesseds" would be as well taught by a good uncertificated schoolmistress as by one of the learned gentlemen who could instruct them in political economy or sanitary science, or other out of the way knowledge as a condition of blessedness. He had been glad to hear the Vice President of the Education Committee say that he would go into the Committee without any bias, and with a full desire to discover what aid could be given to the schools which were at present unassisted. He was glad to hear that declaration, because he had great reliance upon the right hon. Gentleman's candour, and, therefore, he believed that if anything could be done to give assistance where it was needed, it would be. He regretted, however, to hear the right hon. Gentleman say that he regarded the certificated master as a principle of the Education Department. Looking at some of those gentlemen, it seemed that that was a very queer and sandy foundation upon which to base the principle of a great department. The old principles of the Department were laid down, not by Minute, but by Orders in Council in 1839 and 1840. Those principles were that Church of England schools should be in connection with the National Society, and that in all other schools the Scriptures were to be read daily. That was a religious basis. Afterwards the rule was enlarged in favour of Jews and Roman Catholics, and very properly so; but still nothing was to be done without religion. Now they came to the Committee that had been assented to, and it was impossible to see more clearly how much the system wanted examination than from what had taken place with reference to those original Orders in Council—how they had been dealt with by Minutes, how those Minutes had been dealt with by regulations, and how the regulations had been wholly changed by interpretations put upon them within the walls of the Education Office. He had mentioned what the original Orders in Council were, and he was not aware that those Orders had been done away with. Then came the Minutes and what was called the Revised Code, which spoke of "schools in connection with a recognized religious denomination." That was clearly a religious foundation. Then it said "besides secular instruction, the Scriptures are to be read daily from the authorized version." There again, if not definite dogmatic teaching, they had the next best thing—God's Word read in a proper and, he concluded, in a reverential manner. Let the House observe how that had been followed out. The Code said that as one of the conditions of the grant "the religious denomination of the school must be suitable to the families relied upon to supply scholars." That clearly referred to the case of parishes chiefly inhabited by Jews, Roman Catholics, Church of England people, or Nonconformists, as the case might be. But what interpretation had they put on it, and what action had they taken? They had not chosen between Nonconformists, Church of England, Jews, and Roman Catholics, but they said to the Church of England, "We will give you a school, if you will let any number of people in, and don't teach any religion at all." That was their interpretation of "religious denominations suitable to the people." Certainly it was not the province of this Committee to consider whether conscience clauses should be inserted, but it ought to inquire into a system which, as far as the Office could go, could upset the original Order in Council by this kind of hocus pocus, and which might, though he would not say that was the desire, subvert the whole religious teaching of the country. The inquiry might do good both ways. He was not one of those who thought there was any want of responsibility, because he had always held that the Queen's Government in a lump, or, perhaps, he should say in a body, was responsible for the acts of any of its Members or departments; and he never would take any part in throwing the individual responsibility on A or B. The whole Government, collectively and individually, was responsible if anybody in it went wrong. He hoped the country never would lose sight of the fact that its education was in the main voluntary. It was assisted, and assisted only in a limited part, by the State; and while it was voluntary, there must not be too much meddling and tinkering and tailoring by the department. Too plain principles could not be laid down, and the less the Government departed from those principles, the less they tinkered and tailored at them, the less they tried to shove one clause one way, and another clause another, the more money would voluntarily come in, the more people would be educated, and the better they would be educated. That was pretty well seen from the report of the Queen's Commissioners. Up to that time they were deluded by the reports of the office, in which they were told that the people were excellently educated. Not having gone through a competitive examination, perhaps hon. Members were easily cheated; but, at any rate they were deluded. They had fine tabulated statements put before them of all the things that were taught in the schools. But when the Commissioners told them that the children could neither read nor write, the office turned round and said "Oh, we did not mean when we said that the children were taught, that they learned. We meant that we had the teaching power." That showed how beautifully they were "done" in this matter. This matter bore closely on the rural parishes. He lived in a county of small parishes, and he had never heard a complaint from any of these parishes, though they had paid their penny income tax for the general Christian education of the country, that they did not receive any assistance until after the Report appeared. Then they said directly, "If this expensive machinery does not succeed, perhaps our plan is as good, why should not we have a share of State aid?" And certainly, if they could not trust their machinery without examination, on what principle was it they did not examine these schools? Many of them would not accept State aid and interference; but there were many others where such assistance would be of great value, and it was a hard case that they had never received it. No doubt the scheme of the right hon. Gentleman opposite might be worked in some few instances, though he was not sanguine about it, as he had turned the same thing over in his mind some ten or a dozen years ago, to see how it would work. The principle seemed a very sound one, and it might work very well if they could get parishes within a reasonable distance to agree to the conditions. Forty children was a large number to get in many parishes, even by taking in the "blesseds." Another difficulty would be, that in many of the smaller parishes the little children —infants as they were called—were kept in a schoolroom separated from the others, and a schoolroom sufficient for twenty or twenty-five children, would not suffice for forty, so that a new building would have to be erected. However, if it succeeded anywhere it would be a gain. He protested against making it always necessary to have a certificated master. Now that there was examination for a test, parties ought to have the benefit of it without a certificated master. He hoped that the Committee would have the effect of thoroughly overhauling the working of the office. If the Department were found defective, it would be amended; and, on the other hand, if it did not appear to be defective, the public would be more satisfied. Not that there would not always be some dissatisfaction, for when the barley was scattered there were always some of the fowls that did not get it. Anyhow the Committee must do good.

MR. W. E. FORSTER thought that if the limit laid down by the hon. Member for Leominster (Mr. Gathorne Hardy) were accepted the Committee would be of little use. Not that he wondered at any hon. Member endeavouring to limit the Committee, because, if appointed, it would have a very difficult piece of business before it. It would have to kill two birds with one stone, and he should have been glad if the original idea of his hon. Friend (Mr. Walter) could have been carried out, and the Motions of the right hon. Gentleman opposite and the hon. Member for Berkshire kept separate, and two different Committees appointed. The right hon. Member for Calne seemed to think that there was no great reason for the inquiry of the Member for Droitwich, but even in his eloquent speech there was abundant proof of its necessity. The Royal Commission had given them very little information as to the constitution of the office, but it certainly seemed to make a strong case for inquiry when one of the most active Ministers who had ever filled the office of Vice President was heard to confess that it ought to be a matter of rule that the head of the Department should be in the Upper House. The House of Commons had often complained that they had the estimates moved by a Minister whose chief was in the other House, but he had never heard it urged that it would be an advantage that that system should be the rule. Another matter of importance to be inquired into would be the relations of the office to that House, and the manner in which the education estimate should be moved, whether in separate votes, like the Army and Navy Estimates—giving the House several opportunities of voting on them—or altogether in one Minute, giving only one opportunity of voting. No doubt there would be much to be said on both sides. On the one side it might be said that there was no difference between education and any other estimates; and on the other hand it might be urged that a great deal of discretion ought to be left to the office. The hon. Member for Berkshire came forward with his case, which related to the expenditure of the money; whereupon his hon. Friend the Member for Leominster had stated that the Committee could not consider the question of a rating for the purposes of education. In his opinion, if the Committee were so limited it would be useless for it to undertake the inquiry at all; because he did not see how the Committee was to report on the subject if inquiring into the means of meeting the expenditure was not to be open to it. Then again it was true that his right hon. Friend, the Vice President of Education had proposed a Minute which he thought would meet the case of the hon. Member for Berkshire who might then well have waited till that Minute was in operation. He was inclined to agree with those hon. Members who had expressed their opinion that his right hon. Friend's Minute, though well devised, would not altogether meet the case; but he thought it would have been better if the Committee had been able to examine into the operation of the Minute. He could not, however, forget that the Royal Commissioners had gone into the question, and arrived at the conclusion that the difficulties of the smaller rural schools could only be met by some system of rating; and his hon. Friend the Member for Berkshire made a very strong case. He said the managers of those schools wanted help. They paid their money for help, and yet the House of Commons said they were to have none of their money back again. Then they provided teachers, and were ready to submit to an examination. His right hon. Friend the Vice President of the Committee said that the public money was intrusted to the Department, and it should get security for the character of the instruction given in the schools. His hon. Friend the Member for Berkshire observed, "All you ask by your Revised Code is results." When pressed on this point, the Vice-President of the Committee said, "I won't rely on results. They are very good as against the manager, but not good as against the Department having the disbursement of the grant. I will not depend on a short examination; I must have the guarantee of the appointment of the teachers." Were there many Gentlemen in that House who would feel that £3,000,000 of money could be safely disbursed on no other guarantee than the results of an examination? Well, they had brought the matter to this point—either they must risk the injustice of refusing aid to those schools which most wanted it, or they must devise some other principle on which it could be given to them; and this involved the consideration whether public funds for educational purposes ought not to be provided by some other means than a grant out of the Consolidated Fund. All these considerations seemed to drive the House towards the question of rating, and though it might be somewhat premature, he was not anxious to avoid that question. As Parliament had full power over rates which it authorized to be made, the power of Parliament extends to rates made for educational purposes, and therefore he thought the rating question would fall within the scope of the reference to the Committee. Once rates were raised for education, those who paid them would claim for the education of their children not only a share of the money so raised, but they would also ask for some power of control over these rates. This would raise the question of local management. The subject was a large one, and he hoped the scope of the Committee's inquiry would not be limited unnecessarily.

MR. HENNESSY said, that that debate

illustrated, in a very striking manner, the different principles on which the Government dealt with Great Britain and with Ireland. Whatever difference there might be as to details, English Members seemed to be unanimously of opinion that the principle of making national education a religious education was a sound one; and yet this was a principle which would not be extended to Ireland, though the Bishops of the Protestant Church as well as the Bishops of the Roman Catholic Church in that country were favourable to it, and an immense number of petitions asking for its adoption in Ireland had been presented to both Houses. Lord Clancarty, in a pamphlet on the subject, showed that, until a religious system was introduced into Ireland, neither the Protestants nor the Catholics would be satisfied. He pointed out that 45 per cent of the Irish Roman Catholic children between the ages of five and fifteen years were totally illiterate. The Church Education Society, which was exclusively Protestant, received no grant for its schools, because it caused the Bible to be read in them, although its system of education was most efficiently conducted, and although such a man as the late Mr. O'Connell had thought proper to contribute to its funds. The Society of Friends had no grant for a similar reason. In the same way the Roman Catholic Christian Brothers, who educated the children of their own communion most admirably, had no share in the national education grant. They might depend upon it that so long as such a system were pursued discontent would prevail in Ireland.

Mr. WHALLEY observed, that a large grant, amounting to some £316,000, had been made last year for the administration of the educational system first proposed by Lord Derby, but he was afraid that a large part of it would go to the convent school teaching. He wished also to observe that he had read in the office of the Educational Board a book purporting to be a history of England, published he believed by Messrs. Burns and Lambert, Roman Catholic publishers, and a more complete travestie and perversion of every important fact in the history of England it was scarcely possible to conceive, and yet thousands of these books were constantly circulated under the sanction of the Education Department. It was, he thought, matter for regret that such books should be so circulated.

Mr. SCOURFIELD said, it seemed to be taken for granted that it would be a great advantage to unite several parishes together for the purpose of securing one large and good school. This sounded very well, but he had known cases where this had been done, and it caused great complaints from the parents of children who had to go a considerable distance to school, though he was ready to admit that in particular cases the plan might answer well. He thought the Committee of Council had, in the past, somewhat mistaken their position, especially in the manner in which they had conducted their correspondence with the supporters of schools whom they had seemed somewhat disposed to worry. In the principality of Wales, with which he was immediately connected, there had been great dissatisfaction with the Committee, and he believed his friends would have been better satisfied with half the money and twice the sympathy. Whether the system wanted mending or not, the Committee might have mended their manners with great advantage.

Sir JOHN PAKINGTON said, he should not have risen to reply had it not been for some portions of the speech of the right hon. Member for Calne. As to the powers of the Committee for which he moved—as to what they might do or not do — they had heard more than was necessary. The order of reference was now before the House, and that once settled the Committee would of course be bound by its terms. He wished—before adverting more particularly to the speech of the right hon. Member for Calne — to express his satisfaction at the tone of the Vice President of the Committee of Council, which, if persevered in, might do something to produce a more favourable feeling towards the present system. The right hon. Gentleman had, however, used one expression in reference to himself personally, which he thought somewhat hard. He said he had very carefully avoided the subject of rating; but he was not open to the rebuke, and he had never shirked the question. He had laid his views with respect to it over and over again before the House, and had avowed it to be his belief — even at the risk of painful differences from those with whom he had acted during a long political life—that a system of rating was the best for the country. Whether, however, it was or was not the best system, it did not seem as yet to have found favour with the House of Commons, and being desirous, as he was, to see education extended to all parts of the country, he naturally tried to find some other mode of achieving that object. He must also observe that too much had, in his opinion, been said that evening about acting on the voluntary system. What he believed the country desired, was a system of education that should pervade all parts of it, and that there should be no favouritism or partiality. But the voluntary system would not enable them to reach the most populous districts. It was a great hardship that there should be 11,000 parishes unable from circumstances to share in the grant. He was not therefore going to maintain that the voluntary system was so desirable that nothing should be done to supplement it, so as to bring the neglected districts under wholesome educational influences. But to turn to the speech of the right hon. Gentleman the Member for Calne, he must confess that he had listened to some portions of it with great regret, and particularly so as in one part of his speech he had found the right hon. Gentleman a most powerful ally. The right hon. Gentleman was very angry with him, although he was not conscious of having said anything to provoke attack. The right hon. Gentleman said that one of the main objects of his Motion was to inquire into the constitution of the Education Department, and had dwelt at considerable length and with natural complacency on his own administration of the department. To that he had no objection; but then the right hon. Gentleman had misrepresented him when he said that he had imputed to the Education Department gross extravagance in the administration of the grant. He had done no such thing. His statement was that it was the tendency of a highly centralizing department to be extravagant in administration; nor did he believe that the administration of the grant would ever be satisfactory to the country until the central office was assisted by a local organization. He listened with extreme astonishment to what had been said by the right hon. Gentleman opposite as to the conscience clause. When he spoke of the enforcement of that clause he did not expect to be met by special pleading. What he meant was, that schools had been placed at a disadvantage in regard to building grants, unless they would consent to include the conscience clause in the trust deed. In common parlance that was a fair use of the term "enforcement," and the remarks of the right hon. Gentleman were therefore not justified. He repudiated utterly any desire to revolutionize the system. He never said that he disapproved of the present constitution of the Privy Council of Education. He did not think it necessary to answer the other allegations made against him by the right hon. Gentleman the Member for Calne, but it appeared to him to be high time to inquire into the subject generally.

Question, "That those words be there added," put, and *agreed to.*

Words *added.* Main Question, as amended, put, and *agreed to.*

Select Committee *appointed* "to inquire into the Constitution of the Committee of Council on Education, and the system under which the business of the office is conducted, and also into the best mode of extending the benefits of Government Inspection and the Parliamentary Grant to Schools at present unassisted by the State."

And, on March 14, Committee *nominated,* as follows:—

Sir JOHN PAKINGTON, Mr. BRUCE, Mr. WALPOLE, Viscount ENFIELD, Lord ROBERT CECIL, Mr. WILLIAM EDWARD FORSTER, Mr. ADDERLEY, Mr. CLAY, Mr. HOWES, Sir COLMAN O'LOGHLEN, Mr. WALTER, Mr. THOMPSON, Mr. STIRLING, Mr. BUXTON, and Mr. LIDDELL:—Power to send for persons, papers, and records:—Five to be the quorum.

COURTS OF JUSTICE CONCENTRATION (SITE) BILL—[BILL 11.]

INSTRUCTION TO SELECT COMMITTEE.

MR. KINNAIRD rose to move that it be an Instruction to the Select Committee on the Courts of Justice Concentration (Site) Bill that they have power to make provision for appropriating or obtaining sites, and for the erection of lodging houses or other suitable dwellings for the working classes proposed to be displaced by the said Bill. After the long debate on education he would not detain them with many remarks; but this was really a kindred subject to that which they had just been discussing. After all, it was no use spending large sums on the education of the people unless they also did something to secure them proper habitations. He had not the slightest desire to say a word against his hon. and learned Friend's admirable measure for the concentration of the Law Courts nor had he any objection to raise to the site. He believed the site was very well adapted to the object, and that the erection of the Courts there would open up a neighbourhood which needed improvement. The promoters, however, had been guilty of some neglect towards the poor people who resided in that quarter. Railway companies and other parties who applied to Parliament were now obliged to provide some remedy for any displacement of population which they caused, by running cheap trains or by other means; and the Government, in making a clearance of 7½ acres, ought to pay some regard to the people who would thereby be driven from their homes. His hon. and learned Friend said that the matter should be left to the operation of the ordinary rules of supply and demand; but he ventured to think that, in this case, something more was required. A Return had been presented to the House of Lords which gave the number of houses to be pulled down in order to make way for the Courts of Law as 151, and the number of persons displaced as 302. This statement was obviously so absurd that another Return was called for, and this was nearer the mark. From the second Return he learned that the number of houses to be removed would be 151, inhabited by 1,812 people. Even this, however, was still less than the actual number, as he was satisfied from having himself visited the spot. He had also obtained from Mr. Abraham, who was, he believed, the architect of the Temple and a connection of the Lord Chancellor's, some trustworthy information on the subject. That gentleman's estimate showed that at least 193 dwelling-houses would be destroyed, inhabited by about 3,070 persons, purely of the labouring class. Moreover, there were lodging-houses in the district, one or two of which accommodated as many as from fifty to sixty people nightly. One of the City missionaries confirmed these figures as being not at all exaggerated; indeed, probably the number of people displaced would not be less than 4,000. Now, it would not do to turn out these persons without making any provision for their accommodation elsewhere. There had been a great and successful resistance to the opening of Hamilton Place in order to relieve Park Lane; but when the poorer classes found that they were treated with such little regard, while that there was so much difficulty in displacing the rich, they would draw their own conclusions, and think, perhaps, that equal justice was not dealt out to all. One of the houses doomed to disappear once belonged, he was told, to Judge Jeffreys, and he wished that that very notorious personage had lived now, in order that his dwelling might be pulled down about his ears. In addition to the dwellings of the very poor, there were in the district now referred to middle class lodging-houses occupied by persons obliged to live near their work, for if they were not at hand when work came, they were apt to lose it. In this category were included law-writers, commonly called "quill drivers." Again, there was a large printing-office close to the site, and he was informed that it would be a matter of the greatest injustice to send the people employed there to live at a long distance from their work. It was a great tax on them, and it would be most unfair to displace them without making provision for them close at hand. A sad result also of this displacement would be to increase the population of the already overcrowded neighbourhood of St. Giles's. Such evictions were difficult in Ireland, but here the poor Irish submitted to them very quietly. The pauperism thus produced, however, pressed very heavily upon the rates. For the Finsbury Station, and the approaches to it, in one day 1,800 persons were ejected from their homes, and on the following day 200 more, making a total of 2,000 ejections in two days. Nine-tenths of these were poor persons, who were driven into Spitalfields and Bethnal Green. For the London, Chatham, and Dover Railway and its approaches, on the south side of London, it was supposed that about double the above number had been displaced. Now, let the House imagine a town of 6,000 inhabitants with their homes levelled to the ground, followed by the destruction of a second town of 4,000 or 5,000, and then they would realize something of the misery involved in these metropolitan improvements. The subject was well worthy of the attention of the Government. There had been ample time; because the Attorney General in bringing in his Bill told the House that it was no new measure, but one that had been long under consideration; and there were sites that might be pointed out easily attainable. The hon. Member then referred to the evidence of a railway engineer, who declared that the poor who were displaced by one of the east-end railways found accommodation in the overcrowded houses of the immediate neighbourhood, because they were obliged to live near their work. All such misery might be averted by a compulsory clause enforcing the erection of proper accommodation for the families turned out of their homes by these improvements. The hon. Member concluded by moving the Instruction.

MR. HENNESSY seconded the Motion.

Motion made, and Question proposed,

"That it be an Instruction to the Select Committee on the Courts of Justice Concentration (Site) Bill, that they have power to make provision for appropriating or obtaining sites, and for the erection of lodging-houses or other suitable dwellings for the working classes proposed to be displaced by the said Bill."—(*Mr. Kinnaird.*)

MR. COWPER said, he respected the motives of his hon. Friend, and felt as strongly as any one that the great drawback on public improvements which he had pointed out deserved the most careful consideration. He (Mr. Cowper) felt deeply for the suffering and great hardship which were inflicted upon the working classes whenever a large number of their houses were pulled down, but it was a necessity in the present improvement. He would most cheerfully give his hon. Friend or any other person £100 if he could suggest any means by which this evil to individuals could be obviated. But his hon. Friend had been unable to suggest any remedy. There was a physical impossibility to be overcome. The Bill did not take any more ground or houses than was absolutely required for the courts of law. The number of houses proposed to be taken were 384. His hon. Friend had alluded to the Standing Order of the House of Lords, which was rather difficult to comply with, because in ordering a Return of the houses occupied by the labouring classes to be made the Standing Order did not define what was meant by the labouring classes. When this Bill was under consideration in 1860 the Return gave the number of the labouring classes displaced at 2,300; but the number mentioned by his hon. Friend—3,000—might be the accurate one; at all events, it might be taken to range from 2,500 to 3,000. It had been suggested that the Government, in pulling down the houses that were wanted for the Courts of Justice, ought to erect other houses for the reception of the labouring persons who might be dispossessed. But to do that it would be necessary to buy as much more additional land as would suffice for houses for those poor persons. To clear land on which to erect houses for 3,000 persons to live in, the Government must take 100 more houses. They must turn out 1,500 labouring men for this purpose, and then these 1,500 would require fresh houses to be built for them. And so on till a much larger clearance had been made. There was really no remedy, for the new houses would not be ready for two years, whereas the people who would be dispossessed would want them at the beginning of that period. The proposed plan would inflict upon those persons all the misery and hardship of sending them out to find new residences, and the advantage would accrue to another set of people two or three years afterwards, many of whom would come from a distance. Such a plan would greatly aggravate the mischief. He knew of no vacant land in the neighbourhood available for the houses suggested, except, perhaps, Lincolns Inn Fields and he did not think they would be able to obtain it for such a purpose. The obvious remedies for the inconvenience were to be found in the greater facilities which were now given by railways for carrying working people to the suburbs, as was being done by the London, Chatham, and Dover Company, who were running trains at 1*s.* per week, and in the further process which was constantly going on by which mansions that had hitherto been occupied by single families of a higher station were now subdivided and let to several families in separate holdings. That was the operation of supply and demand to which his hon. and learned Friend the Attorney General had referred, and by which the inconvenience would be mitigated. The evil had been long known in connection with the public improvements in London, but no remedy had been devised for individual cases; if there had been, the Government would have been very glad to adopt it. His hon. Friend would not, of course, persevere with his Motion, because, in point of fact, the Standing Orders of the House would not admit of giving the Committee any such power. The Bill was for the purchase of a site, for which notices had been given; and the appropriation of any other sites would be contrary to the Standing Orders.

MR. WATKIN said, when the right hon. Gentleman professed his readiness to offer £100 to any one who would suggest a remedy, he felt disposed to claim the reward. This was, no doubt, a very serious question. The public improvements which had been carried out during the last four or five years, and which were in contemplation with the sanction of Parliament, had displaced, or would displace, some 50,000 persons. The right hon. Gentleman talked of supply and demand, and seemed to think that ultimately things would shake down into their right places. But who could estimate the enormous amount of misery, the disruption of family ties, and all the evil consequences attending those improvements? The right hon. Gentlemen had said that the proposal of the hon. Member for Perth would involve the purchase of 200 more houses. But most of those houses were only of three or four stories, and much ground was covered by them, whereas the best builders now proceeded upon the plan of making all houses of the kind of eight, ten, or even twelve stories, and on an improved principle, and thus as many people might be accommodated upon one-tenth of the space. The Charing Cross Railway had dispossessed a large number of persons, and in the course of its construction many surplus spots could have been found upon which lodging-houses might have been built. How much forethought would it not have shown on the part of the right hon. Gentleman, if, when that Railway Bill was passing, he had made it binding on the Company, as might have been with justice done, that it should provide as much lodging accommodation as that which it pulled down. He maintained with regard to all these public works, that such a course was not only possible, but even economical. But it appeared that in this matter they had another illustration of the proverb—what was everybody's business was nobody's. He could not help bearing his testimony to the enormous amount of misery and suffering occasioned by the want of foresight and attention on the part of the Department of the right hon. Gentleman.

Mr. LYGON said, he had served on a Select Committee which sat to consider one of the prototypes of this Bill in 1862. The right hon. Gentleman (Mr. Cowper) admitted that this improvement would inflict a large amount of suffering and misery, and yet he rejected the instruction of the hon. Member for Perth. The right hon. Gentleman having satisfied himself that the improvements now contemplated were indispensable, ought to have turned his attention to the subject of finding household accommodation for the people to be removed, and ought not, now that the matter was brought to his notice, to answer the arguments of hon. Members in an offhand and jaunty sort of way, by offering £100 to anyone who would suggest a remedy, and by talking about the law of supply and demand being a remedy. The present scheme for imposing an immense taxation and a large amount of suffering upon the metropolis was unnecessary, and arose from the ambitious dreams of architectural enthusiasts. He believed that this suffering might be altogether avoided if a more moderate, more practical, and more economical scheme were adopted. What that scheme might be, he would not go into then, but all the objects which the promoters of the Bill had at heart would be met if the Chancery Courts were left at Lincoln's Inn, Common Law Courts built upon the Thames Embankment, and appropriate sites found for the remaining offices, if it was necessary to concentrate them. The House ought not to acquiesce in the scheme of those enthusiasts, who had a grand idea of architectural improvements, but a very limited notion of the burden they would entail upon the taxpayer, or the suffering and misery they would bring upon the humbler classes. He protested against making a solitude and calling it a metropolitan improvement.

Sir FRANCIS GOLDSMID did not at all think that the hon. Gentleman who had last spoken would earn the £100 offered by the Chief Commissioner of Works by suggesting that the Equity Courts should be left at Lincoln's Inn and that the Common Law Courts should be built on the Thames Embankment. He regretted, however, that the noble scheme now proposed should be marred by this one blot—that a large number of the labouring classes should be displaced, while no attempt was made to remedy the evil. But, in truth, as was clear from the observations made on a former evening by the Attorney General, the attention of Government had not been directed to the subject. They thought that the clearing away of bad and unwholesome dwellings would be in itself a benefit. At the east end of London such improvements had greatly aggravated the evil of overcrowding. Mr. Liddle, the medical officer of the Whitechapel district stated in his Report that in consequence of houses being pulled down for the Blackwall Railway extension line the number of houses had decreased by 148, but the population had only diminished to the extent of seventy-four persons, and he suggested that the inhabitants being driven into already crowded houses in the vicinity, the consequent overcrowding might in some measure account for the increased rate of mortality during the last two years. This testimony as to the effect of the destruction of the dwellings of the poor was confirmed by the Rev. Mr. Trevitt, the incumbent of St. Stephen's, Bethnal Green. In a recent letter, Mr. Trevitt said—

> "The consequences of the destruction of the dwellings of the poor (for the formation of railways) as seen in my district, are additional subletting of rooms, and that to a great extent, and, of course, the crowding of the poor together more dangerously in the same house; then the building of additional rooms in the back yards of old houses—in some cases three additional rooms having been added to the House. The small and wretched spaces unoccupied before being now smaller, and here and there quite filled up, of course there is still less air."

It was, indeed, now admitted by the right hon. Gentleman the Chief Commissioner of Works that this clearing away of overcrowded houses, without the substitution of others, was in itself an evil, and, although he said that he had not been able to devise a remedy, the manner in which this Bill had been brought forward showed that the reason why no remedy had been devised was that the Government had not bestowed any attention upon the subject. In the year 1861 the Earl of Derby induced the House of Lords to adopt an Instruction to the Committees of that House to report, with reference to railways passing through the metropolis, whether any plan could be devised for mitigating the effect of the removal of a large number of dwellings. In consequence of this instruction conditions as to the running of trains for the accommodation of the working classes had been imposed upon several railway companies promoting lines through crowded parts of the metropolis; and inadequate as that remedy might be it was not right that after such conditions had been attached to the passing of Railway Bills, the Government should propose a public improvement involving destruction of dwellings of the poor, without doing anything towards curing what was admitted to be a very considerable evil. He believed that if the right hon. Gentleman would apply his mind to the matter he could devise some remedy. He (Sir Francis Goldsmid) had himself given notice of a Motion upon the subject, to which, no doubt, as ingenious objections would be raised as had been taken to that now before the House; but even though this Resolution should be rejected, he did not despair that the present debate would have the effect of conducing to the discovery of some means of at least mitigating the mischief of which he was complaining. If not the Government would have been the instrument of working an injury instead of a benefit to the labouring classes.

The ATTORNEY GENERAL said, it was impossible to hear without great sympathy of any inconvenience or evil to the classes who would be displaced by improvements of this kind, or without great regret that these and other public improvements should be attended by temporary injury to those classes. But the House would, he thought, be disposed to take a practical and not merely a sentimental view of such subjects, and to consider them with reference to all the questions which they involved. If any one could suggest a means of carrying out metropolitan improvements, without incidental inconvenience to the classes immediately affected, it would receive the most anxious and careful consideration, but to delay all improvements until such a plan had been devised, would be most injurious to the very classes in whose interests this Motion had been made, as the practical result would be, that such improvements would not be undertaken. It was perfectly consistent in the hon. Member for Worcestershire, or anyone who thought that the proposed concentration of the courts was a mere architectural fancy, and a measure for which there was no public necessity, to support such a Motion as this; but he regretted that those who appreciated the nature of this great public improvement, and desired that it should be carried out, should favour a step the certain effect of which would be to defeat the Bill. It was impossible that this Instruction could be given to the Committee, and the tendency of the proposal was to defeat the Bill. For the rejection of the measure on this ground no sufficient reason had been assigned. During the last forty years great improvements had been made in the metropolis, and every one had admitted, that in the long run their effect had been beneficial, not only to the public interests, for the sake of which they were undertaken, but to the very classes who had been displaced by them. As a consequence of such improvements, there had grown up round London houses adapted to the accommodation of the labouring classes, in much healthier localities than those which they had previously occupied; and thus, although there might have been some temporary overcrowding in the neighbourhoods in which works were undertaken, the final result had been that the poorer population had got into better and healthier localities. Why should the sins of all the other public improvements in London be visited upon the head of this one proposal, and objections thrown in its way which were offered to no other? Railway Bills out of count had passed, and nobody had required the promoters to obtain new sites and build houses for the labouring classes. Yet this was the proposal now made, and made in a form which, if adopted, would tend to defeat the Bill. Such a proposal was totally impracticable, and the best proof of its impracticability was that the House of Lords, when considering the railway Bills submitted to it, only provided not that the railway companies should give sites and build lodging-houses for the displaced population, but that cheap trains should be run for their benefit, to carry them to and from their homes. The Government, of course, could not run cheap trains, and therefore the remedy now suggested was different from that which had been adopted in every other case. It was said that dwellings for the labouring classes might be built on the sites now occupied by law courts or law offices, and that if lodging were not thus provided in the immediate neighbourhood, there would be great overcrowding in the poor dwellings around. This might be so; he could not resist the evidence which had been offered on the point, but there was no evidence to show that this was more than a temporary evil, and that the population would not in the end adjust itself to the altered circumstances of the case. Would not the displacement and the consequent overcrowding which were spoken of, go on even with the very remedy suggested? The new courts could not be completed for three or four years, and until then the present sites would be wanted. Meanwhile, the people who were displaced must find lodgings for themselves where they conveniently could, and they would not afterwards come back and occupy these new houses. By that time they would have found other lodgings; there they would remain; and these buildings would be erected for another population than that which had been displaced. No doubt these suggestions were made with the most humane of motives, but on the face of them it was difficult, if not impossible to carry them out, and they confirmed his impression that you had better trust to the laws of nature, and to the tendency of people to conform themselves to altered circumstances than attempt by artificial means to provide for those who, after all, do what you would, would provide for themselves. No practical suggestion had been made, and he deprecated strongly that, by an unintended effect, the passing of a measure of great public utility which by general concurrence ought to be carried, should thus be obstructed.

Mr. HENLEY said, the end of the hon. and learned Gentleman's speech differed very much from the beginning. At first the hon. and learned Gentleman laid about him right and left at everybody who wished to provide for these unfortunate people, as doing so indirectly to obstruct the Bill. Towards the end, however, he threw in a little soft sawder about humane motives, and all that sort of thing. It was quite clear that the Government, thinking this a desirable site, pounced down upon this vast block of buildings, and without any consideration for the unhappy people who lived there were going to sweep them away, simply telling them that in the long run—he did not tell them when—but which might be in twenty or thirty years, when they got to Kensal Green, or some other place of the sort, they would be better off. It was said that a different course had been taken in the case of the railways. Certainly, a railway and a court of law were two different things, and he did not suppose that the lawyers would like to carry these unfortunate people in cabs night and morning to and from their work. But, in requiring the railways to run cheap trains, Parliament had done what was strictly practicable. People liked to live as handy to their work as possible, and the cheap trains which brought workmen back again to the spot from which they were driven formed as good an arrangement as could be made for their convenience. It was said that nothing could be done, unless you pulled down other houses, and that then there would be more displacements, more overcrowding, and so on *ad infinitum*. But were there no vacant sites? The right hon. Gentleman (Mr. Cowper) was not hardy enough to assert that, for then his argument would have been clean out of the running. Would there be no vacant ground on the Thames Embankment? Lodging-houses for these poor people did not take the same amount of ground which was wanted for splendid courts; and in Westminster, for instance, a great many model lodging-houses occupied a very narrow strip of ground. He was sorry to see the Government laying down the principle that whatever misery might be created by this improvement they would make not one attempt to relieve it, on the ground that it would be better for these poor people in the long run, and that it was a public improvement. His own impression was that a great hardship was about to be inflicted, and he thought it was rather hard lines for the poor that the Government should shut their eyes to all this distress.

Viscount PALMERSTON: It seems to me that if the doctrine embodied in the Motion before the House were to be carried into effect it would prevent any great improvement whatever being made in the metropolis, because no great improvement can be made without pulling down small houses, and thus displacing, *pro tanto*, the population. The remedy is not in the long run, as stated by the right hon. Gentleman, but in the short run, because it is quite clear that the people thus displaced will find situations for their homes better and more healthful than those they occupied before. The right hon. Gentleman who has just sat down said it would be a very different thing if the houses were to be pulled down for the construction of a railway, because the railway would take them to and from the place of their labour. But why should not the existing railways carry the people who are now proposed to be turned out to and from their places of labour? But my main objection to the Motion is that my hon. Friend proposes to instruct the Committee to do that which a committee is perfectly incapable of doing. The Committee can no more make the provision he proposes that they can buy an estate in Northumberland or Devonshire, or do anything else that requires an outlay of money, and therefore it is an absurdity to ask them to make a provision which they have no power on earth to make. If my hon. Friend will bring in a Bill to purchase land and will employ the architect in whom he appears to trust to make a clearance on other spots, and then to erect buildings on them, I shall have no objection to his doing so. But his proposal, if adopted, would only aggravate the evils he wishes to cure; for in making room for the 300 or 400 proposed to be displaced he would have to turn out 300 or 400 more, so that there would then be 600 or 800 turned out of their homes instead of 300 or 400. But my chief objection to the Motion is that the Committee really have no power to accomplish what my hon. Friend wishes them to do, and that the Motion, if carried, would only impose upon them the painful necessity of reporting that they were perfectly unable to execute the instructions of the House. The Motion is very useful as enabling hon. Members to express their sympathy for the poor people who are to be displaced, but it is perfectly impossible to carry out its objects.

Mr. HENNESSY moved an Amendment that he thought would meet the formal objection of the noble Lord. He moved that instead of the words "have power to make provision," the words "to inquire into the practicability and expediency of making provision" be substituted.

Amendment proposed, to leave out the word "make," in order to insert the words "inquire into the practicability and expediency of making,"—(*Mr. Hennessy*,)—instead thereof.

Question proposed, "That the word 'make' stand part of the Question."

The ATTORNEY GENERAL said, that would also be turning a Committee appointed for a totally different purpose into one of general inquiry.

Mr. LEATHAM said, the Bill as it stood was for the purpose of enabling a certain plot to be built upon for the purposes of the New Courts of Justice, but it might so happen that some portion of that very plot might be applicable to the purpose mentioned in the Motion; and there was no reason why the Committee might not have the power of devoting such surplus land to that purpose. He thought the Amendment proposed by the hon. Member for the King's County (Mr. Hennessy) got rid of the objections of the noble Lord.

Mr. KINNAIRD hoped that the noble Lord would assent to the proposed Amendment, as an investigation of the matter would satisfy everybody.

Viscount PALMERSTON: It seems to me that the proposition even so modified would be quite foreign to the purposes of the Committee, and therefore I do not feel at liberty to assent to it.

Question put, "That the word 'make' stand part of the Question."

The House *divided*:—Ayes 18; Noes 8: Majority 10.

House adjourned at
One o'clock.

HOUSE OF COMMONS,

Wednesday, March 1, 1865.

MINUTES.] — PUBLIC BILLS — *Resolution in Committee*—Church Attendance on Sunday.

Ordered—Church Attendance on Sunday; Metropolitan Toll Bridges; Writs Registration, &c. (Scotland).

First Reading —Church Attendance on Sunday [46]; Metropolitan Toll Bridges [47]; Writs Registration, &c. (Scotland) [48].

Second Reading—Law of Evidence, &c. [20].

Select Committee—Qualification for Offices Abolition Bill, *nominated.* (*List of Committee*, p. 212).

Committee — British Kaffraria * [27]; Common Law Courts (Fees) * [39].

Report—British Kaffraria * [45]; Common Law Courts (Fees) * [39].

Third Reading—Felony and Misdemeanor Evidence and Practice * [21], and *passed.*

LAW OF EVIDENCE, &c. BILL.

[BILL 20.] SECOND READING.

Order for Second Reading read.

SIR FITZROY KELLY, in moving that the Bill be now read a second time, said, he understood it was not the intention of the Government to offer any opposition to the second reading, and he thought it would be more convenient to postpone the consideration of the measure till the House went into Committee. He would not therefore detain the House more than a few minutes. The Bill contained eight clauses, which were intended to carry into effect seven distinct measures of amendment in the law. With respect to five of those measures, and possibly six, he thought he might venture to say that no difference of opinion existed, and when the time should come to consider the entire Bill in Committee—although, undoubtedly, explanation would be necessary, and some discussion might be thought appropriate—he did not imagine that any opposition would be raised to any one of those five, or possibly six, clauses. One clause, however — the third — stood upon a different footing. By this clause it was proposed to render admissible as witnesses the parties accused in all criminal cases. With regard to this clause he would not be dealing fairly with the House if he did not at once state that, although he rejoiced to say this clause had the approbation of more than one of Her Majesty's Judges, whose high authority was entitled to every consideration, yet he was quite aware that in the profession of the law, as well as in that House, a very great difference of opinion might be expected to be expressed and enforced by the votes of Members of the House when the clause came to be considered in Committee. He would only further say that in asking that the Bill be now read a second time without opposition, and he hoped without discussion —inasmuch as it would be necessary to discuss every clause in Committee—he should not assume that Her Majesty's Government, or any individual Member of the House, by assenting to the second reading, implied any approbation of any particular clause in the Bill. A Bill had been brought in by his hon. and learned Friend the Member for the county Cork (Mr. Scully) which sought, in somewhat different language, to effect the same object as the third clause in this Bill. He (Sir FitzRoy Kelly) conceived that it would be somewhat inconvenient to discuss, upon the two separate Bills, at two different periods of time, exactly the same measure of legislation, and such was the case with his hon. Friend's Bill and the third clause of his own. He, therefore, appealed to his hon. and learned Friend to postpone the second reading of his Bill.

Moved, "That the Bill be now read a second time."—(*Sir FitzRoy Kelly.*)

MR. SCULLY said, he felt no indisposition to yield to the wish of his hon. and learned Friend, though for himself he thought it would be more convenient to discuss the principle of the Bill upon the second reading. The point, however, was comparatively unimportant, for his own Bill merely embodied in one clause the proposals which were spread over three or four clauses of the present measure. He understood that it was the intention of Her Majesty's Government that his own Bill, that of the hon. and learned Gentleman, and a third Bill, having the same object, should be discussed together. It was rather anomalous, certainly, to find Lord Derby's Attorney General in the foremost rank of law reformers, while the Law Officers of a Liberal Government opposed his efforts. The anomaly, however, formed only part of that still greater contradiction under which Conservative Liberals sat on the Opposition side of the House, and Liberal Conservatives filled the Ministerial Benches. The state of things was not one which commanded his approval; these political "crosses" and admixtures of Conservative Southdowns with the Liberal Cotswolds never could lead to good results. To outward appearance everything was smooth; but for all that the black hoof peeped out occasionally, and he thought Her Majesty's Ministers would become more sincere and earnest reformers if they were compelled for a time to occupy the Opposition Benches. He gave the hon. and learned Member opposite credit for being a sincere legal reformer; and he hoped the Attorney General would likewise become as earnest in this respect as the noble and learned Lord on the Woolsack, for otherwise his official position would enable him to hinder useful changes. Among all men, and especially lawyers, there was a tendency to cling to familiar ideas which, from constant daily habit, became stereotyped in their very nature. At one time he, too, held such stereotyped opinions, but when he became a legal reformer the first thing he did was to tear up by the roots all those legal notions imbibed in a long course of years. In compliance with the appeal made to him he should postpone his Bill to the same day as that selected by the hon. and learned Member.

THE ATTORNEY GENERAL said, the House desired to approach all subjects such as the present without anything like party spirit; it was, therefore, with regret he heard the insinuation of the hon. and learned Gentleman, that law reform was made a matter of competition between one side of the House and the other. The practical tendency of any change that might be introduced, and whether the administration of justice would be improved or impeded thereby, were the grounds to which the House ought properly to direct its attention, and he could not see what that had to do with political differences between one side of the House and the other. He gave every credit to his hon. and learned Friend for the sincerity of his desire to amend the law, and he was confident that on these and other occasions the true course was to do justice to each other's views and intentions. The present Bill consisted of eight clauses, nearly all of which dealt with different subjects. Without anticipating the discussion upon the Bill, he might say that if the measure were confined to the first two and the eighth clauses, there might be very little difference of opinion in relation to them; but as to every one of the others, he felt very considerable doubt. The third clause especially, enabling the accused parties in criminal cases to become witnesses in their own behalf, of course subject to the usual right of cross-examination, seemed to him repugnant to the spirit of our whole legislation. He thought that if adopted, instead of working in the interests of justice, it would go far to introduce a system of moral torture like that prevailing in some parts of the Continent; and he doubted very much whether innocent persons would be likely to gain so much as his hon. and learned Friend hoped, while the system might very possibly operate in favour of the guilty. It was his duty to state that the present views of the Government were opposed to the application; and of course the views of the Government on such a matter were the views of the noble and learned Lord his immediate superior, which were entitled to so much weight. It was very desirable, on a matter of such grave importance, that the opinions of all who were most conversant with the working of the laws in England and Ireland should be obtained; and if it should turn out that before the day mentioned by his hon. and learned Friend the Government were unable to obtain the necessary information from the Judges and others whom it was their duty to consult, he felt sure his hon. and learned Friend would not oppose any reasonable proposition of adjournment. He also deemed it expedient that the discussion, when it took place, should not be upon a Wednesday, on which day the attendance of Members was usually limited, but should take its place with the ordinary business of the House, at a time when professional men were released from their engagements, and when the question, though a legal one, might be submitted for the opinion of the House at large.

MR. DUNLOP wished to receive from the hon. and learned Gentleman the Member for Suffolk (Sir FitzRoy Kelly) some assurance that the Bill would not act retrospectively, inasmuch as anxiety was felt on the point by the parties in such cases as that of "Shedden *v.* Patrick," now awaiting a hearing before the House of Lords, who in the event of a new trial might have the whole proceedings gone over again, but under a different state of the law, should the Bill pass.

MR. M'MAHON said, he hoped the Attorney General would reconsider his decision with regard to the third clause. There were many cases to which the principle of that clause might be extended with advantage. Take, for instance, a case of libel. If a prosecutor proceeded by action, the defendant could give evidence, but if he proceeded by indictment, the defendant's mouth would be closed. Why should a person indicted for libel not be allowed to give evidence as well as if he were a defendant in an action for libel? There were many cases in which, without interfering with the old established views of the profession, alterations might be beneficially made. At present it frequently happened that a man was convicted because he was not allowed to give evidence on his own behalf, or have the evidence of his wife taken. He would suggest that there would be inconvenience in taking the Committee so early as that day three weeks, inasmuch as the assizes would not be all over until after Easter.

Mr. GATHORNE HARDY said, he regretted the union of so many subjects in one Bill. Some of the provisions were so objectionable in principle that he thought the discussion upon it ought to have been taken on the second reading, and the Bill sent to the Committee with the approval of the House or thrown out altogether. Hon. Members would, for instance, recollect that in the case of actions for breach of promise the exception which it was sought by the Bill to dispense with was made deliberately when the change in the law of evidence was adopted. He might perhaps be allowed to observe with regard to such actions that he never knew one of which he could not say that, in his opinion, it would have been better that it had not been brought on for trial; but if they were to have breach of promise trials at all it was evident that they would be greatly multiplied if the plaintiffs themselves were allowed to give evidence of the promise. Then with regard to another class of cases, the result of the proposed change would, he thought, be that that class of actions which were now brought nominally by fathers on behalf of daughters would be converted into actions for breach of promise, and he, therefore, maintained it was right that those actions should stand on a different footing from other causes. He had as great a desire as the hon. and learned Gentleman himself that the courts should on all occasions arrive at a just conclusion; and, therefore, he might be permitted to say the law of evidence as it stood led, in almost every instance, to a just conclusion, and that it was wiser to submit to such slight evils as it might occasion, rather than invite greater. When it was borne in mind how an accused person was protected from the moment when he was taken into custody—how he was warned when taken before a magistrate not to say anything to criminate himself—how on the trial everything connected with his past life was excluded, and any allusion to any previous conviction shut out, so that he might be tried on the particular merits of the case itself, it would be at once seen how sweeping was the alteration proposed. Under its operation the defendant would be liable to be examined, and then cross-examined, as to his whole career by the opposing counsel, who would not think he had discharged his duty unless he put a pressure upon him, which, in many cases, a man would not be able to resist; so that while a person with a nimble tongue might be able to go through the ordeal without suffering any damage, another not gifted with the same expertness of speech might—although innocent—be convicted simply because he did not happen to be able to give a ready answer. He thought that such a system would be worse than the interrogation in France, when that was done by the Judge himself—though the Judges in some instances, he feared, forgot their judicial capacity. They ought to be sure that there was something very objectionable in the present state before they adopted such an alteration; but he confessed he had not heard any grievance alleged which could render it necessary for them to have recourse to so great a change in our judicial system. It was, however, said in support of the change that the parties to an action in civil cases were allowed to give evidence, and that that mode of procedure was attended with advantage. But in such cases each of the parties concerned, it should be recollected, had a deep interest in the result; while the prosecutor in a criminal case would for the most part give a good deal to be out of it, caring little in many instances whether the accused person was convicted or not; again, in the case of the most heinous criminal offences the prisoner would often be left to tell his story without contradiction, the only person whose evidence could have convicted him having been entirely removed from the scene. Then, again, if a man were prepared to give evidence, and his counsel should think it inexpedient that he should do so, it was obvious that the retort on the other side would be that the allegations made against him could not be contradicted, although of course there might be many reasons independent of a man's being guilty which might lead him not to wish to come forward as a witness. On the whole, to render prisoners competent though not compellable to give evidence on their own behalf would, in his opinion, so far from being an improvement, tend to prejudice the course of justice. Such an alteration in the existing law, if proposed at all, was one which he thought ought to be introduced to the House with all the influence and authority of the Government, who alone could obtain such an attendance as would secure for it more attention than it was likely to receive in the hands of a private Member. For his own part he believed the proposed alteration was by no means called for, and that it would operate more or less in violation of the principles of justice.

SIR FITZROY KELLY then fixed the 22nd instant for going into Committee on the Bill, expressing a hope that in the meantime the Attorney General would be enabled to appoint some other day for its coming on, when there would be a chance of having its provisions discussed in a full House. In answer to the hon. Member for Greenock (Mr. Dunlop), he begged to say that it was by no means his intention that the Bill should act retrospectively.

SIR JAMES FERGUSSON reminded the hon. and learned Gentleman that his Act of 1858 had—though he felt assured contrary to his intention—a retrospective action. He was afraid the Shedden case, which had already been attended with great expense, might, under the operation of the Bill as it stood, should a new trial be allowed, be tried again in the Probate Court under entirely new conditions.

Motion *agreed to.*

Bill read 2°, and *committed* for *Wednesday* 22nd March.

CRIMINAL CASES (EVIDENCE) BILL. [BILL 8.]

SECOND READING DEFERRED.

THE ATTORNEY GENERAL said, that before these Bills were committed, he would endeavour to obtain from the Government an opportunity when they might receive that attention in a full House which the hon. Gentleman wished.

MR. SCULLY said, he would allow his Bill to follow the same course.

Second Reading *deferred* till *Wednesday,* 22nd March.

CHURCH ATTENDANCE ON SUNDAY BILL—[Bill 46.]

COMMITTEE. LEAVE. FIRST READING.

Resolution in Committee.

Church Attendance on Sunday—*considered* in Committee.

(In the Committee.)

MR. CLIFFORD rose to move that the Chairman be directed to move the House that leave be given to bring in a Bill for the abolition of Fines for non-attendance at a place of Divine worship on Sunday. The hon. Member said, that the legislation on this subject dated from the time of Queen Elizabeth, early in whose reign a law was passed, providing that everybody should forfeit a small sum who did not on the Sabbath attend the parish church. A still more stringent measure was, however, passed in the 23rd year of the same reign, and was expressly revived in the reign of James I., the object being, he believed, to force the Roman Catholic population of this island to conform to Protestantism. After the Revolution an Act of William and Mary gave relief to the Protestant Dissenters, but it was not till the reign of George III. that a Bill for abolishing pains and penalties in the case of Roman Catholics was introduced into the House of Commons. That Bill, however, did not dispense with the penalties to which those who absented themselves from Divine service on Sunday were subjected by the Act of Elizabeth. Now, this being the state of the law, this subject had been recently brought before the public by the occurrence of two cases in which some very severe and stringent measures had been carried out against working people for not going to church on Sunday. He would deal fairly with the House, and at once admit that these persons were not convicted and punished under the Act which he wished to repeal. One happened at a place called Legh, in Lancashire. Some labourers had been discovered to have saved their hay on Sunday, and a fine was imposed upon them which it appeared they could very ill afford to pay—and indeed as one of them said, it would have been much better if the magistrates had relieved them out of private charity than fined them—and consequently their goods were seized under a distress warrant. The conviction was afterwards quashed in the Court of Queen's Bench, he believed on the ground that as the people were farming on their own land they did not come under the description of labourers. The other case occurred at Driffield, in Yorkshire. A man named Isaac Watson was fined—not indeed for not having gone to church, though it was at first supposed that he was punished under the Act of Elizabeth ; but it turned out afterwards, as the result of an investigation by the Home Office, that the conviction was under an Act of Geo. IV., and was founded on a contract between the man and his mistress (who was the tenant and manager of a farm) that he should attend public worship at church on Sunday. The Home Office were of opinion that if there was any special contract between the parties, the man was liable to be punished for having infringed it. It might possibly be objected to his Motion that upon neither of these occasions did any distress warrant issue under the Act he proposed to repeal, nor was any one fined under that Act. To that his answer was that in either case that course might have been adopted had the parties been a little more deeply read in the law. They might have been prosecuted under the Act, and as the magistrates would have had the *lex scripta* before them, however repugnant to their feelings it might have been, they would have had no alternative but to inflict the penalty. He believed that no portion of the community would deprecate the enforcement of the statute more than the clergy of the Church of England ; but there was no security that the Act might not be put in force any day by a malicious or ill-disposed person ; and he (Mr. Clifford) must confess he should deem it a very unfortunate thing if such an event were to happen, as it would naturally lead the uneducated to suppose there was one law for the rich and another for the poor. He trusted that for these reasons the House would assent to the Motion. The hon. Member concluded by moving the Resolution.

Lord HOTHAM regretted that he had only just then entered the House, having been able only that moment to leave a Committee upstairs ; but as he understood allusion had been made to the case of Watson, which occurred in his county, he wished to state what he understood to be the facts of the case. The apparent charge upon which the man had been punished was for not going to church on Sunday; but the truth was that the offence he had committed was a breach of the contract he had entered into with his mistress. It was the custom in that part of the country for farm servants to be hired by the year, and it had been the habit of the lady occupying the farm in question to make it a condition with her labourers before she engaged them, that they should attend some religious service on Sundays. That was not an illegal condition, nor was it in his opinion an unreasonable condition. At all events, her labourers had the option of either agreeing to the condition or not. Watson did agree to it, but did not fulfil his engagement ; and the lady accordingly took him before the magistrates. All that Watson had to say for himself was that he considered he had a right to do exactly as he chose on Sundays. He did not say he objected to go to church. The magistrates, as the engagement was not denied, felt that they had no alternative but to convict. They dealt with Watson, however, in the most lenient manner : they did not inflict a fine, and they only imposed the costs of the summons. He would appeal to the House, under these circumstances, whether this man had a right to complain of being had up for breaking his engagement.

Mr. NEATE confessed his disappointment at hearing the observations of the noble Lord (Lord Hotham). When the noble Lord rose, he (Mr. Neate) thought he was going to explain matters, and to repudiate on the part of the magistrates with whom he was connected any intention whatever of repealing this Act. Instead of that, the noble Lord had actually endeavoured to justify the conduct of the magistrates in the case referred to. He (Mr. Neate) wholly deprecated the course taken.

Sir GEORGE GREY said, he believed that what the noble Lord had stated was quite right—namely, that the magistrates had exercised the jurisdiction conferred on them by convicting the man in question of a breach of engagement. He thought that the mistress of this man did not actually insist upon her servant going to church ; but she was naturally dissatisfied at his refusal to go to any place of worship.

Mr. LOCKE thought the magistrates ought to have declined to have anything to do with the matter. The sooner Acts of Parliament like these were swept from the statute-book the better it would be. They were wholly unsuited to the present times—and indeed to any times—and the thanks of the House were due to the hon. Member who had introduced this Bill. Surely it was sufficient punishment for a servant to be dismissed from service if he would not conform to the rules of the house and attend some place of worship on Sunday, without being liable to be fined and punished by an Act of Parliament. Such laws as these fell upon the poor people of the country, who had just as much right to think for themselves as any Member of this House. It was not because a man had contracted to be a servant that therefore he was not to be allowed to think for himself as much as any one else in a more favoured position in life. He contracted to perform certain services, and so long as he performed them properly, neither his master nor mistress had any right whatever to interfere with his religious opinions, whatever those opinions might be.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill for the abolition of Fines for non-attendance at a place of Divine Worship on Sunday.

House *resumed.*

Resolution *reported.*

Bill *ordered* to be brought in by Mr. CLIFFORD, Mr. ARTHUR RUSSELL, and Mr. SHAW LEFEVRE.

Bill *presented,* and read 1°. [Bill 46.]

METROPOLITAN TOLL-BRIDGES BILL.

LEAVE. FIRST READING.

MR. ALDERMAN SALOMONS, in moving for leave to bring in a Bill to facilitate the traffic of the metropolis and to improve the communications across the Thames by opening the present toll-bridges for the free use of the public, said, it was necessary to say little more in its support than that in a metropolis of 3,000,000 persons there were only three free bridges connecting the northern and southern parts of London. About a century ago Westminster Bridge was built, and a little while afterwards Blackfriars. London Bridge has since been rebuilt at the expense of the city, and these are the only free bridges of the metropolis. Every one knew that the northern portion of the metropolis was overcrowded, that the streets were over-loaded with traffic, and that there was a difficulty in finding house accommodation, in consequence of those whose occupations or business was connected with this great City being confined to the north side of London, by the want of free bridge accommodation. No persons suffered more than the working classes from the present state of things, and none would receive a greater boon from the opening of a free communication across the river to the south side, where land was to be had cheaper, and where there was room for the metropolis to spread. As it would be necessary to provide funds, he proposed to enable the Metropolitan Board of Works to levy a rate over the metropolitan area not exceeding one halfpenny in the pound for a term not exceeding twenty years. He proposed that the district in which the toll-paying bridges were placed should also be taxed to the same amount as the tax levied upon the whole metropolitan district by the Board of Works. He also proposed an additional coal tax of 1*d.* per ton. A fund of between £50,000 and £60,000 would thus be raised, without bearing heavily on any particular interest, which would be applied for the purpose of gradually buying all the present toll-bridges. He had taken power to enable the City of London, jointly with the Metropolitan Board of Works, to acquire Southwark Bridge. He also proposed other powers, which would enable the Government to dispose of Chelsea Bridge. The contrast between London and the city of Paris was remarkable. While London had only three free bridges, Paris had twenty-three. Seven of those had belonged to private companies; but since 1848 the municipal authorities had bought them all, for the purpose of throwing them open to the public. Waterloo Bridge was built in the very heart of London, and it was thought that the traffic would be so large as not only to pay 10 per cent to the shareholders, but also to provide a surplus fund to pay off the capital, and to enable the bridge to be thrown open to the public. So far, however, were these expectations from being realized, that the original adventurers had never received a farthing. It was now certain that the public would not in any sufficient numbers pay tolls, and that tolls acted as a deterrent to the use of bridges. Southwark Bridge, on the other hand, had been thrown open free as an experiment, and almost within two days the traffic had been increased ninefold. If the measure should pass a second time, he would ask the House to refer it to a Select Committee.

Motion *agreed to.*

Bill to facilitate the traffic of the Metropolis and to improve the communications across the River Thames by opening the present Toll Bridges for the free use of the public, *ordered* to be brought in by Mr. Alderman SALOMONS, Mr. LOCKE, and Mr. JACKSON.

Bill *presented*, and read 1°, and referred to the Examiners of Petitions for Private Bills. [Bill 47.]

WRITS REGISTRATION, &c. (SCOTLAND) BILL.

LEAVE. FIRST READING.

MR. DUNLOP, in moving for leave to bring in a Bill to improve the system of registration of writs relative to land in Scotland, and to amend the law relating to inhibitions and adjudications, said, the Bill related to the same subject as one which had already been brought in by the hon. and learned Lord Advocate, and he therefore felt bound to give some explanation of the reasons which had induced him to propose his own measure. There had long been in Scotland registers of writs relating to landed estates. Those registers were of two kinds—one, what are called "particular registers" for counties, accessible to all at some central place in the county, or group of counties united, and a "general register" kept in Edinburgh, in which those who had lands in more than one county might register them together. In the course of time it had become the custom to register lands lying within one county only either in the particular counties in which they lie, or in the general register at Edinburgh, in the option of the party. The consequence was, that, if a man wished to obtain information in reference to a landed estate, he had now to search two registers—the general register in Edinburgh and the particular register in the county. The object of the Bill of the learned Lord Advocate, as well as his own, was to do away with one of these registers, and in future to make only one registry competent. The two Bills correspond, except in one respect. The mode in which the Lord Advocate proposed to effect the object was by abolishing all the particular registries, and requiring all writs relative to land to be brought up to one general registry in the Register House in Edinburgh. He proposed to bring the whole registers of all deeds throughout Scotland to Edinburgh, and to have them given in and recorded there. Now, his (Mr. Dunlop's) plan was to abolish the central registry and keep up the particular registries. He thought there ought to be in each particular locality the register of each particular district, although afterwards the record books might be sent up to Edinburgh and kept there. There had never been, so far as he understood, any objection raised to the manner in which the deeds were recorded in the local register, or any complaints made of the writs being incorrectly registered in particular localities. The reason for wishing to bring them all to Edinburgh and to abolish the local registries seemed to him to be mainly a sort of theoretical idea of centralizing the whole matter in Edinburgh. Now, he had no feeling whatever against Edinburgh—he had resided and practised there many years—but his opinion was that it was best to keep up the particular registers of the several counties. The great object in view was to secure the convenience of those who are called upon to register writs in connection with landed property, and he could not see how that convenience was to be secured if the Bill of the Lord Advocate was adopted. There was also a further point. The particular registries were situated in various counties, and the salaries and fees now received by the officers attached to these amount to £9,600 per annum. If those registries were abolished, in addition to the cost of establishing a new central office in Edinburgh, it would be necessary to make compensation to those whose future services will be dispensed with; whereas by maintaining the present local registries, no compensation would be required. He understood that the Lord Advocate would not oppose the introduction of this Bill, and he would put it down for a second reading for the same day as that on which the Bill of his learned Friend will come before the House. The hon. Member concluded by moving for leave to bring in a Bill to improve the system of Registration of Writs relative to Land in Scotland, and to amend the Law relating to inhibitions and adjudications.

MR. BUCHANAN seconded the Motion.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to improve the system of Registration of Writs, relative to Land in Scotland, and to amend the Law relating to inhibitions and adjudications."

THE LORD ADVOCATE said, he not only did not object to the introduction of his hon. Friend's Bill, but he rejoiced at it, and should be glad of any aid and assistance he could afford in accomplishing the object both had in view. The introduction of these Bills was in itself an admission that there was a grievance to be remedied, and the question was reduced to this—

what was the best remedy? It appeared to him that his own Bill offered the best, for it went beyond the Bill of his hon. Friend. No doubt there was some hardship in abolishing ancient local offices to which the local practitioners conceived themselves entitled. But the question was not a matter in regard to the profession in the provinces or in Edinburgh. It was one that related to the landed interest, and to those who had an interest in land—the owners of land, and those who buy and sell land and lend money upon it. The question was whether they were to be taxed in order to keep up these provincial offices, or whether the House should adopt the proposition he made, that the fees for the general expenses of the transfer of land should be reduced? Now, what was the state of the matter? These particular registers were not kept in each county, but in twenty districts, some of them extending over one county, and there was also in Edinburgh a general register. These registers were both established by an Act of Parliament passed more than 200 years ago, in 1617. Somewhere about the beginning of this century, it was found that these local registers were in great confusion, and arrangements were made by which they were transmitted to Edinburgh, not at particular intervals, but the keepers of the local registers having only one book, transmitted it when filled to the general registry. When land was transferred, and the search for encumbrances was made, it was now necessary to search in Edinburgh both the general and the particular registry, because the district register being transmitted to Edinburgh it remained at the General Register House, and must be searched there. In addition to that it was necessary to search the current volume of the particular register in the district in which the property was situated. And there were at least two other registers in the Register House that must also be searched. The inconvenience and expense of all this was manifest; and what his Bill proposed was this—that the county registers shall be entirely abolished in each district; that a register in Edinburgh shall be kept as a county register, and all writs be registered there. In that manner they would save the expense to the holders of land and dealers in land of keeping up these twenty establishments, and reduce them to one. What was of still greater importance, and what his learned Friend's proposal did not touch at all, we should enable the persons employed to make the indices and abstracts of these registers, which alone were to be searched to keep their work up. At this moment they were five years behind, and even more than that in some cases. If his Bill be adopted, the registers in future would be made up in Edinburgh alone, and it would be possible to keep them up day by day; and thus there would be a great saving of expense in the matter of search. The hon. Gentleman said that the public had shown that they prefer the particular to the general registers by registering their deeds in the particular and not in the general register; but he ought also to have informed the House that the public had also indicated that it was utterly indifferent to them, whether they transmitted their writs by post, or delivered them personally, for there was a return appended to the Report of the Commissioners employed to investigate the subject, by which it appeared that a much larger proportion of writs—in one district four-fifths — were sent by post. Now it was quite as easy to send the writs to be recorded in Edinburgh by post, as it was to send them to be recorded in Glasgow, Aberdeen, or Forfar by post. And what were the advantages of adopting the system of a general register? In the first place, instead of keeping up twenty local registers there would be only one register; and that way then would be the benefit, not of centralization, but of having all the registers more efficiently kept under one superintendence and management by a uniform system carried out by a body of clerks skilled in the work. Centralization has nothing whatever to do with the matter, but the simple question was how to keep our registers in an efficient condition. Was it not better to do that, and to place the whole of them under one management, than to have the work spread over twenty different districts, where neither superintendence, uniformity, or skill could be of the slightest avail? No doubt there were a certain number of persons connected with the local registers who had a material interest in retaining them. In Glasgow the fees received amount to about £5,000 a year, in Aberdeen to £1,200, and in Forfar to upwards of £1,000; while in other parts the amount of the fees was also very considerable. Now in regard to the matter of compensation, it could be shown that the Register House was not only a self-supporting institution, but that there was a large balance of fees received, amounting, I believe, to between £7,000 and £8,000 a year. He thought it very hard that the landed interest should be taxed to the extent of a surplus of £7,000 or £8,000 a year, in order that that sum should be paid over to the Exchequer. What he desired to do, but what we should never be able to do if his hon. Friend's suggestion was adopted—was, in the first place, to make the system of registration such that you would be able by turning to the indices of the general register to make searches with the greatest possible facility; and secondly, to reduce the expense, already very heavy, upon the transfer of land. It was in order to take a step in that direction that he had been induced to propose his measure; but it was absolutely essential as the first step that we should bring these registers to one focus. That was the first thing to be accomplished, and it was perfectly certain that registration by post was quite as secure and convenient as by personal attention and attendance at the office. If that were so, no interests would be involved in this question, except that of the keepers of the local registers. Of course it would be the duty of the House to consider the position in which they would be placed; and, if considered reasonable, to grant compensation.

Mr. DUNLOP, in reply, said, that his hon. and learned Friend had stated that the grand object of his Bill was to facilitate the search of the registers, and that it was incompatible with registration in the country that the books could be searched with that rapidity and care which was desirable. Now, it was true that hitherto the books had not come up rapidly, and that there had been great delay and inconvenience. But why was it that these books have not come up? It was because the Register House in Edinburgh had sent out large oblong forms, all of a size, to small as well as to large districts, and they had not been sent up to Edinburgh until they were entirely filled. The result of that has been that several of the registers have got behind; but the remedy for that is what I propose to do in this Bill—namely, to require the registrars to send them up every six months.

Motion *agreed to.*

Bill to improve the system of Registration of Writs relative to Land in Scotland, and to amend the Law relating to inhibitions and adjudications, *ordered* to be brought in by Mr. Dunlop, Sir James Fergusson, and Mr. Buchanan.

Bill *presented,* and read 1°. [Bill 48.]

House adjourned at half after Four o'clock.

The Lord Advocate

HOUSE OF LORDS,

Thursday, March 2, 1865.

MINUTES.] — *Sat First in Parliament* — The Duke of Cleveland, after the death of his Brother.

Public Bills—*First Reading*—Bank of Ireland* (19); Bankruptcy and Insolvency (Ireland) Act Amendment* (20); Elections Petitions Act (1848) Amendment* (21); Felony and Misdemeanor Evidence and Practice* (22).

Third Reading—Civil Bill Courts Procedure (Ireland) Act (1864) Amendment* (16) and *passed.*

BRITISH MUSEUM.—PETITION.

Earl STANHOPE, in presenting a Petition of Trustees of the British Museum complaining of the inadequacy of the present building, and praying that steps may be taken without any delay for procuring additional space, and that appropriate buildings may be erected thereon, said, that so far as regarded any Vote of public money, that was, of course, a question solely for the House of Commons. But there were other points involved. There might be a question as to a new arrangement of collections, and there might be a necessity for the amendment of former Acts, or the passing of a new Act on that subject, which their Lordships could properly entertain. Under these circumstances, it had seemed to the trustees that it would be most respectful towards the Legislature that, while leaving, of course, the question of money to the House of Commons, they should present a petition to this House also, and that he should state on their behalf the difficulties with which they had to deal. He had given notice that he would on this occasion enter into those difficulties in some detail, and that he would also ask, whether Her Majesty's Government had been able to devise any plan that would meet the case; but he found himself precluded from taking that course. It was the wish—the not unreasonable wish—of many of the trustees that whatever discussions there might be on this subject should take place simultaneously in the two Houses. The forms of the House of Commons would prevent his right hon. Friend Mr. Walpole, who was intrusted with the petition to that House, from saying a single word in explanation; he could only present the petition in the usual form and give notice of his intention to call the attention of the House to the subject on a future occasion. He (Earl Stanhope) would, with their Lordships' permission, adopt a similar course. He would at present make no statement and ask for no reply, but would lay the petition on the table, and on another day give notice of the period at which he proposed to bring forward the subject. He regretted that in consequence of the House not meeting on the previous day, it had been impossible for him to alter his Notice as it stood upon the Minutes.

Ordered to lie on the table.

House adjourned at a quarter past
Five o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, March 2, 1865.

MINUTES.]—SELECT COMMITTEE — Taxation of Ireland, *re-appointed.*

SUPPLY—*considered in Committee*—Committee—R.P.

PUBLIC BILLS — *Ordered* — Colonial Naval Defence *; Herring Fisheries (Scotland) *.

First Reading — Herring Fisheries (Scotland) * [49].

Second Reading — Court of Chancery (Ireland) (No. 2) [25]; Court of Chancery (Ireland) (No. 3) [38].

Third Reading—Courts of Justice Building [5], and *passed.*

BOROUGH FRANCHISE EXTENSION BILL—[BILL 32.]—QUESTION.

MR. COLLINS said, he would beg to ask the hon. Member for Leeds, Whether it is his intention to proceed with the Second reading of the Borough Franchise Extension Bill in the week fixed by law for holding the Courts of Quarter Sessions throughout England and Wales?

MR. BAINES said, in reply, that he had fixed the 5th of April for the second reading of the Bill by the advice of an officer of the House, believing that the arrangement would meet the convenience of Members generally for the discussion of the measure. Finding, however, that the Quarter Sessions met during that week, he at once intimated his willingness to change the day, and now begged to defer his Motion for the second reading of the Bill to the 3rd of May.

GOVERNMENT ANNUITIES.
QUESTION.

MR. AYRTON said, he wished to ask the Secretary to the Treasury, with reference to the Memorandum prefixed to the Tables framed under the Act 27 & 28 *Vict.* c. 43, for effecting insurances on lives, Whether the statement that a person insuring his life for £20 will be at liberty to increase the amount insured from time to time up to £100, means that such increase shall be made at the option of the assured, without his producing on each occasion of increase satisfactory proof that his life and occupation are as healthy as they were at the time of the first insurance?

MR. PEEL, in reply, said, the intention was that a person who had insured his life for a particular sum, and afterwards desired to increase the amount, should not be allowed to so without adducing proof in every such case regarding his occupation and state of health. The papers distributed that morning contained rules showing that the same precautions would be taken in cases of subsequent as of original insurance.

FOREIGN STATISTICS.
QUESTION.

MR. WHITE said, he would beg to ask the President of the Board of Trade, When the Statistical Tables relating to Foreign Countries, presented on the 25th of July last, will be distributed to Members?

MR. MILNER GIBSON said, he understood that the Tables referred to would be ready in the course of two or three weeks.

TAXES IN EUROPE.—QUESTION.

MR. WHITE said, he wished to ask the Under Secretary of State for Foreign Affairs, When the Return of "Taxes in Europe," presented on the 25th July last, will be distributed to Members?

MR. LAYARD, in reply, said, there had been a great deal of trouble in collecting the Returns, but they were now complete and in the hands of the printer. He hoped they would be ready for distribution in a very few days.

SCOTCH JUDICIAL STATISTICS.
QUESTION.

COLONEL SYKES said, he wished to ask the Lord Advocate, Whether, in the Annual Report of Scotch Judicial Statistics, he will adopt the English and Irish forms to facilitate comparison?

THE LORD ADVOCATE replied that his attention had been directed to the matter, and he would look into it in order to see whether it might not be possible to adopt the suggestion contained in the Question of the hon. and gallant Gentleman.

MASTERS AND STAFF COMMANDERS OF THE NAVY.—QUESTION.

Sir LAWRENCE PALK said, he rose to ask the Secretary to the Admiralty, If it is the intention of the Government to remedy the complaints of the Masters and Staff Commanders of the Navy, as regards their present rank, pay, and allowances?

Lord CLARENCE PAGET said, in reply, that he proposed at a future period to state the exact course which the Government proposed to take, but he could inform the hon. Baronet that the Admiralty had just given directions that no fresh entries should take place on board the *Britannia* of young officers intended to be introduced into these classes.

GOVERNMENT ANNUITIES.

QUESTION.

Mr. SALT said, he would beg to ask Mr. Chancellor of the Exchequer, What steps he intends to take in order to bring the New Regulations with respect to the purchase of Government Annuities and of Payments at Death prominently before the notice of those persons for whose benefit the regulations have been framed; and also whether every reasonable facility will be given for effecting the purchase of small Annuities, taking into consideration the means of information and the position of the probable annuitants?

The CHANCELLOR of the EXCHEQUER, in reply, said, he need hardly say that the Government were very anxious to take every means in their power for the purpose of placing the public in possession of all information connected with the making of insurances and the purchase of annuities, and great advantage had arisen from the manner in which public attention had been directed to the subject, both by discussions in that House and in the public press. The regulations and the tables made for the purpose of working the system in the General Post Office had of course been drawn up with great fulness and submitted to Parliament in that shape with a great deal of detail, because it was necessary to give to Parliament all the regulations, whether they referred to the conduct of the officers who were to be employed in administering, working, and controlling the system, or whether they referred to the proceedings to be taken by those who might be desirous to become insurers or purchasers of annuities. These papers were to be had at a very small charge. The great bulk of those papers would be a great objection to the public in general and those whom the Government had particularly in view; and, therefore, the same course would be taken in regard to this system as was adopted in the case of the Post Office Savings Banks, and adopted previously in one or two other cases where it was desirable to make the law popularly and extensively known—namely, an abstract would be prepared, not with a view of presenting a comprehensive or complete idea of the whole subject, but of placing in the hands of those who were concerned, in the briefest form, all which it was important for them to know. Great facilities would be afforded for circulating that abstract through the medium of the Post Office and other channels. With regard to the latter part of the Question, as to information to be given to persons desirous to become purchasers of annuities, he begged to refer the hon. Gentleman to a portion of the pamphlet which had been presented to Parliament, and at pages fourteen and fifteen of that pamphlet he would find a good deal of the kind of illustration it had been thought desirable to afford, in order to put parties in the way of understanding what steps they ought to take if they wished to become purchasers of annuities.

ARMSTRONG GUNS FOR FOREIGN GOVERNMENTS.—QUESTION.

Mr. LAIRD said, he would beg to ask the Under Secretary of State for War, Whether Her Majesty's Government are aware that Armstrong Guns are being manufactured by the Elswick Ordnance Company for Foreign Governments; and, if so, whether permission to do so has been granted to that Firm by the Secretary of State for War, the patents for constructing guns on that principle having been transferred to Her Majesty's Government by Sir William Armstrong?

The Marquess of HARTINGTON said, in reply, that Sir William Armstrong received a patent in 1858, and by an arrangement made with the Government of that date, it was transferred to the nation in 1859. That was the only patent in connection with his system of rifling guns. At any rate, it was the only one under which the Government possessed an exclusive right. That patent related to the manufacture of wrought-iron breech-loading guns, and had never been used by any other manufacturer or by any person other than the Government. The question did arise in the course of last year, whether Sir William Armstrong had the right to manufacture guns on the shunt principle without the permission of the Government, and a legal opinion was taken on the subject. The Government were advised that they had no exclusive power over that invention, and although it was in Sir William Armstrong's power to prevent the Government manufacturing them, it was not in the power of the Government to prevent Sir William Armstrong or any other person manufacturing those guns. There was reason to believe that Sir William Armstrong's company had supplied guns to foreign nations, though the Government had no official information on the subject.

NAVY—THE "ROYAL SOVEREIGN."

QUESTION.

MR. LAIRD said, he would now beg to ask the Secretary to the Admiralty, Whether he has any objection to lay upon the table Copies of any Reports made by Captain Sherard Osborn, R.N., on the various trials of the *Royal Sovereign* during the time she was in Commission; and of any Reports from the Shipwright or Engineering Departments at Portsmouth Dockyard as to the condition of the ship and turrets after the trials above referred to had taken place?

LORD CLARENCE PAGET said, in reply, that the Admiralty had no desire whatever to conceal any information as to the results of the trials of the turret system on board the *Royal Sovereign;* and during the discussion of the Navy Estimates he should be extremely glad to furnish the House with the substance of all that the Department knew about those trials, of which, happily, what they did know was favourable. But the system of laying upon the table of the House Reports from officers addressed to particular Departments was most objectionable, and he must, therefore, decline to produce the documents asked for.

NAVY—RUMOURED LOSS OF THE "GALATEA."—QUESTION.

SIR JOHN PAKINGTON said, he had observed with very great concern a rumour of the loss of Her Majesty's ship *Galatea* on the coast of North America, with a considerable portion of her crew. Perhaps the noble Lord the Secretary to the Admiralty could give the House some information on the subject.

LORD CLARENCE PAGET: Sir, we received at the Admiralty yesterday a telegram that there was a report at New York of the loss of the *Galatea.* It was, however, so vague that we thought we should only be giving unnecessary pain to many families if we published it. To-day we have received a report that the *Galatea* is not lost, but I regret to add that it contains a melancholy account of loss of life among her crew. The report is as follows:—

"The reported loss of Her Majesty's ship *Galatea* is doubtless unfounded, since private letters from Norfolk of the 11th and 12th ult. say she was still in the roads, where she would be perfectly secure. Papers say, however, that two barges filled with men belonging to the *Galatea* were sent on the 12th ult. to rescue a boat which had broken adrift from the frigate, with one man in it. The barges were carried by a storm on to the beach at Cape Henry, and it is supposed that all hands perished. A steam tug was sent to their assistance, but was compelled to put back by a storm. This, doubtless, accounts for the rumoured loss of the frigate."

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

NAVY ARMAMENTS.

MOTION FOR A SELECT COMMITTEE.

MR. H. BAILLIE rose to move that a Select Committee be appointed to inquire whether Her Majesty's Ships are at present armed in a manner suited to the necessities and requirements of modern warfare. Sir, in rising to bring forward this Motion, I cannot refrain from expressing a wish that this may not be regarded as a party question. The subject is one deeply interesting in itself, and of vital importance as regards the safety and honour of this country. We have often been told of late that we possess the finest iron-clad ships in the world. We might be told with much greater truth that our sailors are most able, most experienced, and most brave; but all these advantages are vain, useless, and utterly unavailing if our ships are not armed in a manner suited to the necessities and requirements of modern warfare. Now, it cannot be denied that a very uneasy feeling prevails, not only in the public mind, but also in the minds of many of the most able and experienced officers in Her Majesty's service, that our ships of war are not armed at the present time in a manner that would enable them to contend with advantage, or even with equality, against the armour-clad ships of other countries. Nor is it surprising that that uneasy feeling should prevail, for we have the authority of the First Lord of the Admiralty (the Duke of Somerset) for the statement that we have no good naval gun. We had a similar admission from the noble Lord the Secretary to the Admiralty (Lord Clarence Paget) in the last Session of Parliament, coupled, indeed, with the expression of opinion that we were not in that respect worse off than other countries. That is a question to which I shall have presently to refer. In the meantime I will observe that it is astonishing how little trouble Her Majesty's Ministers seem to take in order to inform themselves of what is passing in other countries with regard to the invention, the improvement, and the changes which other nations are making, and have already made in the construction of the engines and implements of war. In the Report of the evidence of the Ordnance Committee which sat in 1863 we find that a number of very distinguished officers, both naval and military, were examined, and yet none of these officers were able to give the Committee any information with respect to the newly-invented guns of other countries. They knew nothing of the American gun, they knew nothing of the French gun, they knew nothing of the admirable guns used by the Prussians in the war against Denmark, and they knew nothing of Krupp's gun, which had been adopted in the Russian service. All their information seemed to be confined to the Armstrong and Whitworth guns. Now, when we find that amongst professional men so much ignorance exists with regard to the inventions of other countries, we cannot be surprised that Her Majesty's Ministers should be in a somewhat similar predicament. I draw that inference from the answers which have been given from time to time in this House. Let me take an example. In the course of the last Session of Parliament a question was put to the noble Lord the Secretary to the Admiralty, with regard to the armament of our ships of war, and with that frankness and candour for which the noble Lord is so remarkable, he at once admitted that we had no good naval gun, and that things were not in a satisfactory state; but he said that we were not worse off than other nations. He admitted, indeed, that the French had rifled guns on board their ships, but he said he knew all about the French rifled guns—that they were smooth-bore guns which had been converted into rifled guns; that the French officers were not very fond of them, and that he did not consider them more efficient than our own smooth-bore guns. The noble Lord, no doubt, is a great authority, and any statement that he makes carries great weight with the House; but I think I shall be able to show that the statement must have been made on erroneous information. Before, however, I proceed to enter into the question of the armaments of France and Russia it will be necessary for me, in the first place, to take a review of the present state and condition of our own. The armament of the British fleet has not been materially changed since the introduction of iron-clad ships. What changes have been made have been rather for the worse than for the better. In point of fact the Admiralty appear to have been for the last five years in search of a gun, and the Ordnance Department has been unable to furnish it. The armaments of the British fleet at the present time are as follows:—We have on board our ships 68 pounder and 32-pounder smooth-bore guns. We have 110-pounder and 40-pounder rifled Armstrong guns. We have also a very few 100-pounder smooth-bore guns, which have lately been sent to the fleet, but which can only be regarded at present as experimental guns, and not as having been regularly introduced into the service. We have also a few 64-pounder shunt guns, which have been lately sent to the fleet, but as these are only calculated for hollow shot, and as I understand the shot of these guns when falling on the deck of the *Excellent* broke in pieces, they cannot be suited to iron-clad warfare. I shall not say anything with regard to the *Royal Sovereign* or her armament. The *Royal Sovereign* is an experimental ship, with experimental guns, and it does not appear that the experiment has been very satisfactory, as we do not find that any other ships of a similar class have been similarly equipped. Now, as to the 68-pounder. Twenty years ago the 68-pounder (a 95 cwt. gun) was regarded for all purposes as the best gun in the British service, and for all purposes it is regarded as the best gun in the service at the present time. But unfortunately for the reputation of this gun the world has not remained stationary. Things have changed, and that gun, which was so efficient against wooden ships, has been proved to be impotent with regard to iron ships. The 68-pounder, at a distance of 200 yards, firing direct at a target placed vertically before it, with a full charge of 16 lb. of powder and steel shot, is unable to penetrate the sides of the *Warrior* or *La Gloire.* That has been proved by experiments on board the *Excellent*, which took place on the 24th and 25th of February, 1864. It must, therefore, be obvious to the House that a 68-pounder is absolutely useless as a gun for iron-clad warfare, and it is needless to refer to the 32-pounder. I will now go to the 110-pounder rifled Armstrong; and the history of this gun is anything but creditable to the Ordnance Department. As it is necessary the House should receive full information on this subject, I must beg the indulgence of hon. Members while I narrate, as concisely as possible, the story of this gun. In the year 1859, in consequence of the introduction of iron-clad ships, it naturally occurred to our naval administration that it was desirable to obtain a more powerful gun than the old 68-pounder; and I find, from the evidence of the Duke of Somerset before the Ordnance Committee of this House of 1863 that he entered into negotiations with the Ordnance Department, and the result was that the Ordnance Department engaged to furnish the Admiralty with a more powerful naval gun. Accordingly, in due time, a new gun was produced of 6-inch calibre, 80lb. shot, and 12 lb. charge. This gun, in the month of September, 1859, was tried for two days against the old iron-clad *Trusty*, and was defeated—that is to say, the 4-inch iron plates of the old *Trusty* were not penetrated. Besides this, various defects in the gun were developed, such as liability to blow out the breech, no less than fifteen such accidents having occurred in 143 rounds, the number of shots fired in the two days' trial. In spite of these glaring defects—in spite of the impotency of the gun—this description of gun was ordered to be manufactured, and that with such incredible haste that the workmen in the factories were compelled to work night and day. Thus, without any further trial, a gun of this description was issued for service to Her Majesty's fleet, with the bore altered to allow of the shot being increased to 100lb. instead of 80lb. In that form they were issued for service in December, 1860. The astounding fact that a new gun, imperfectly designed and insufficiently tried, was issued to the fleet, is recorded in the Report of the Ordnance Committee of 1863, and, strange to say, the fact is set down without either comment or censure. The Committee say—

> "The Armstrong system was first extended to 110 lb. calibre on the 14th of October, 1859. The political necessities of the day appear to have been so urgent as not to allow time to mature the design previous to their manufacture, and in consequence of the excessive pressure for the supply of guns of this calibre the first hundred were completed before the experiments on them were concluded."

The Committee were very mild in their Report, but Sir William Armstrong declared in his evidence that they were tried by no experiments at all. He was asked at Question 3554—

> "Can you state on what series of experiments the 110-pounders were proved ?"

Answer—

> "None at all. There was such excessive pressure for rifle guns at that period that there was no time for experiments ; and it was one of the great difficulties I had to contend with that I was obliged to produce the guns under those circumstances."

And so without any trial at all these guns were issued to the navy. Now, that was a most extraordinary statement. Sir William Armstrong declared that he was compelled by the Secretary of State for War to manufacture guns and issue them to the navy without any trial at all. That is a grave and serious charge to make against a Secretary of State, but I believe it to be unfounded and unjust; and we may rescue the memory of a deceased statesman from such an imputation, as common sense tells us that no Minister would allow guns to be issued which were imperfectly constructed, if fully aware of all the circumstances of the case. But to go on with the history. In September the gun was considered capable of being issued for solid shot 110lb. weight, 14lb. charge, and for the first time it was tried against 4½-inch plates on Captain Coles's cupola. It there competed with the old 68-pounder, which signally beat it. In October it was tried on the *Warrior* plates at 200 yards, and there the mean indent was 1·6 inch, while that of the old 68-pounder was 2·47. That experiment was made with cast iron shot. The noble Lord the Under Secretary of State for War is reported to have said last Session that the gun was never intended to be used against iron-plated vessels; but that must have been a mistake, as I have not only proved that it was tried against iron plates, but we have the distinct evidence of the Duke of Somerset before the Ordnance Committee of 1863 that he intended to have armed the *Warrior* with these 110-pounders, and was only deterred from doing so when he found upon trial that it was a less powerful gun than the old 68. The trial here referred to was that against Coles's cupola, at which the Duke himself was present. In 1862 the charge was reduced to 12lb., 14lb. having been found too much, and in 1863 they ceased to be manufactured, but not until 1,000 guns had been made, at an enormous cost to the country, and stored in Her Majesty's arsenals—the cost he would leave the Chancellor of the Exchequer to calculate. So inferior did the gun prove that it was said in January, 1864, they intended to reduce the charge to 10lb. and the shot to 100lb.; but whether or not that was done I do not know, as we have no further official information on that point. That was the last phase of the gun. Here, then, we have a Department which undertakes to furnish the Admiralty with a more powerful gun than the old 68-pounder, and produces a gun which, on the first trial, proved far less powerful and liable to defects so considerable as to inevitably render it useless in action in a very short time. Yet it goes on manufacturing them with indiscriminate haste and serves them out to Her Majesty's Navy without further trial. I ask the House if it is possible to conceive a more reckless course of proceeding or one more objectionable on the part of a public Department? If we could suppose for a moment that the Ordnance Department wished to sacrifice the lives of the sailors, to cause the destruction of the fleet, and peril the safety and honour of the country, they could not have adopted any course more calculated to attain those objects. Fortunately the first trial of the gun in actual warfare occurred against the Japanese, and not against any great naval Power. We have received full and authentic details both from private sources and official Returns of the performance of this gun in the action at Kagosima. I will state first the private accounts, and then refer to the official statements of Admiral Kuper, which corroborate and confirm them. The private letters of officers have been printed, and they are perfectly authentic. One letter stated—

> "On the second day no shell fitted with the 'pillar fuze' went more than 300 yards, most burst in the gun, and nearly all the shot 'stripped,' some going as much as 600 yards to the left. Several of the grooves were cut half-way down the gun."

Again—

> "Of the 110-pounder pivot, one breech blew out, and one from the broadside gun, which split and struck inside, knocked down the gunner's crew, but did no damage (*i.e.*, killed no one). With us the 'pillar fuze' and common shell burst prematurely every time, taking five inches in length of the rifling out of the gun amidships right round, and going half an inch into the metal of the gun. Every shot fired after this "stripped.'"

Another said—

> "I am sorry to say the Armstrong did not impress us as being such a first-rate gun; in fact all, to a certain extent, failed. A shell burst in ours, and cut up the rifling a good deal—knocked holes in it. The shell with concussion fuzes, which are brought from the shell-room and put into the gun without being touched, all burst at the muzzle of the gun. The practice also appears to have been worse with the Armstrong than with the smooth-bore."

Here was another—

> "This 110-pounder missed eight times; on one occasion they were twenty-eight minutes under fire before they could get it off, another time twenty minutes."

These were private letters from officers engaged in the action. I will now go to the official Returns. Last Session my hon. and gallant Friend the Member for Yorkshire moved for a Return from Admiral Kuper, as to the guns used at Kagosima. The Admiral was too "cannie" to send a report; but the reports of other officers commanding the ships engaged in the action had been laid on the table of the House. These reports do not express opinions, but merely give the facts. Six ships were engaged, and of these the *Pearl*, 21, had no Armstrong gun. Of the 66 guns of the other five ships—namely, *Euryalus*, 35; *Perseus*, 17; *Argus*, 6; *Racehorse*, 4; and *Coquette*, 4; 21, or in round numbers, one-third were Armstrongs. Of the 13 in the *Euryalus*, the return to Parliament recorded 14 accidents in 144 rounds, about the same proportion as occurred in the trials against the *Trusty*. Of the five in the *Perseus*, all 40-pounders, three accidents are recorded in 111 rounds. Of the 110-pounder in the *Argus*, four accidents were recorded in 22 rounds, besides the breech "continually jamming, a serious drawback to quick firing." Of the 110-pounder in the *Coquette*, but one accident was recorded in 37 rounds, but it was continuous, "causing unnecessary delay after every round in having to wedge the breech out." Of the 110-pounder in the *Racehorse*, four accidents were recorded in 51 rounds, all

> "causing great delay at a time when it was of great importance we should keep up a rapid fire, and when the smooth-bore guns, which were being fired under the same adverse circumstances, kept up a continuous and rapid fire."

The aggregate being twenty-six accidents to 21 guns in 365 rounds from five ships, or a mean of one accident per 14 rounds. This is an analysis of the official reports presented to the House. But since the action of Kagosima we have had another action at Simonosaki of which no official reports have been yet received; but I am informed that the action of the gun was much worse. A private letter from an officer—which has been published—says—

> "One vent-piece (*i.e.*, breech), wrought iron, split right through and stuck in the gun, and it took our engineer nearly three-quarters of an hour to clear it. The greatest danger we were in was from our own ships' Armstrong shot, as they fired across us when we passed between them and the battery, and several stripped (their lead jackets) and wobbled (*i. e.*, deflected, as at Kagosima, where it was noted of some stripped shot that 'they went as much as 600 yards to the left'). The boats trying to fire Armstrongs wounded two marines of the shore party, who were brought on board of us. I held one poor fellow's hand while the doctors cut the segment out of his leg, and tied it up to be cut off when there was a quiet place to do it in. This day we split our other two 110-pounder vent-pieces (*i. e.*, breeches), wrought iron—three in two days. How does Armstrong feel?"

I would ask also how do British sailors feel when sent to fight with guns such as these? But it is not only in Japan that these guns have been proved to be unfit for service on board Her Majesty's ships. Let us take the case of the Channel squadron. It usually has seventy or eighty Armstrongs distributed amongst the different ships, and in two years sixty-nine were sent home disabled. Last year, when it was sent to the Downs for immediate service in the Baltic, it became necessary, of course, to examine the guns, and it was then found that there was not one ship in the whole squadron which had not some disabled Armstrongs on board. The case of the *Warrior* was worst of all. The armament of that ship was thirty 68-pounder smooth-bores, and ten 110-pounder rifled Armstrongs. When the *Warrior* was ordered to the Downs, every one of the Armstrongs was found to be defective. Not one being fit for service she was sent into Devonport, and received ten new Armstrongs. She then sailed for the Downs, and by the time she arrived at the fleet one of the new guns was disabled, the captain having thought it necessary to give them a trial by the way. Of course, he sent the disabled gun in and got a new one. But suppose she had had to go into action instead of going into port, her defective armament would have involved the loss of the ship to a certainty. And now allow me to ask who is to be held responsible for sending imperfectly constructed and insufficiently tried guns on board Her Majesty's fleet? That is a very important question for the House to entertain. Are we to consider the First Lord of the Admiralty as responsible for these guns? I confess I do not think we ought. The First Lord of the Admiralty does not manufacture guns, and he is, on the contrary, obliged to take what guns are furnished by the Ordnance Department. The evidence of the Duke of Somerset, given before the Ordnance Committee, is conclusive on this point. He repudiates being held responsible. The noble Duke said (Question 5,096)—

> "All the Admiralty can do is to send to the War Department, and say what guns they want; but in the case of any new gun, that must rest entirely with the War Department, as the Admiralty had but little or no opportunity of judging them, and must accept such as are sent to them. Every gun is passed by the Ordnance Select Committee before it comes to us."

So that the Duke of Somerset (the First Lord) is absolutely at the mercy of the Ordnance Department. Then, is the Secretary of State for War responsible? He will tell us, "I am a civilian, and know nothing about guns; but I have appointed an Ordnance Select Committee, and that Committee is intrusted by me with the selection, manufacture, and trial of guns, and with the judgment respecting them; and if bad guns are manufactured or selected, the Ordnance Committee are to be blamed." That would be the answer probably of the Secretary at War, as indeed it was practically the answer on a previous occasion of my right hon. Friend the Member for Huntingdon (General Peel) to the Committee of this House. He said he did not consider himself responsible as to the introduction of the Armstrong gun, but he held the Ordnance Committee, which he had appointed, responsible. This was throwing the responsibility upon the subordinates, and they returned the compliment, and threw the responsibility back upon the Secretary of State; for Sir William Armstrong says, in his evidence, he was compelled by the pressure put upon him by the Secretary of State to manufacture imperfectly designed and inefficiently tried guns. Here we have subordinates throwing blame upon the Secretary of State, and the Secretary of State throwing the blame upon subordinates, so that, in point of fact, there is no responsibility at all. How can we expect to have responsibility by a Committee appointed by a Secretary of State, and changed and altered at his will and pleasure. The Committee, moreover, now is not the same as that which introduced the Armstrong gun. It was very different under the old system. In the present system there is no such thing as responsibility. Formerly we had a Master General of Ordnance, who was directly responsible for the Department, and who was generally selected from the first and most distinguished officers of the service. The Duke of Wellington held the appointment for six years, and he would never have given his sanction to the issue of an imperfectly constructed gun to either army or navy. But at present we have this Committee of Ordnance, composed, no doubt, of able and clever men, some of them with genius for mechanical invention. The consequence of this is that they are always trying their inventions at the expense of the country, and afterwards sitting in judgment on their productions. How can it be expected that such a Department as this should be properly conducted, or that great extravagance and waste should not be the consequence? I will give the House one example of what has thus occurred, showing the manner in which the system works. A short time ago one of the Members of the Ordnance Select Committee invented a new naval gun carriage. It was submitted to the Committee and received their approval, and not less than 150 of these new gun carriages were constructed before a proper trial of them had taken place. It was then thought advisable to place one of them on board the *Excellent*; and on the first trial of it in that ship the carriage was broken, as also the leg of a lieutenant, and it was accordingly unceremoniously condemned. There was thus an end of the invention after the country had paid for 150 of those carriages, all of which are at present, I believe, lying idle in Her Majesty's arsenal, from which I hope they will never be removed. Now, I think I have shown that during the last five years we have been unable to obtain efficient guns from our great national establishments. The question then naturally arises, could we obtain better guns from the private establishments of this country? It is not my intention to enter into a discussion with regard to the respective merits of the great inventors and manufacturers of modern ordnance. All I wish to say of them is, that if their guns are not appreciated by their own Government they are at least appreciated by all the other Governments of the world. There is, first of all, the Blakely Ordnance Company. That company have been manufacturing guns of great calibre, 300 and 600 pounders, both for the Confederate and the Federal States of America, and they are still executing orders for the Federal Government. But it is not in America only that the guns of this company are appreciated. They are executing immense orders for the Russian Government—11-inch guns for the defence of Cronstadt, and 8-inch guns for the Russian fleet. They are also manufacturing guns for the governments of Sweden, Spain, Portugal and Italy, in fact for most of the Governments of Europe, and it appears that it is only in their own country, and by their own Government, that their guns are not appreciated. Then I will go to another company famous for the production of great guns as well as of small arms—I mean the Whitworth Ordnance Company. I do not wish to offer any opinion with regard to the Whitworth gun. All I will now say is that it has accomplished astonishing results Two years and a half ago on the 16th of September, 1862, Mr. Whitworth produced a $5\frac{1}{2}$-inch gun of $3\frac{3}{4}$ tons weight, charged with 12lb. of powder, which burst its 68lb. shell through a 4-inch plate backed by 9 inches of teak, from the usual range of 200 yards. It was admitted, however, that a gun of that small calibre was not suited for a contest with iron-clad ships; and on the 13th of November, 1862, Mr. Whitworth produced a 7-inch gun of $7\frac{1}{2}$ tons weight. It was used at 800 yards; it discharged two flat-ended steel shells of 151lb., with 5lb. bursting charge, one shell of 130lb., with 3lb. 8oz.

bursting charge, and a solid steel shot of 129lb., all with 27lb. charges. All perforated through the whole protection into the ships, the shells producing more or less destruction. This occurred two years and a half ago; and I want to know how it has happened that Her Majesty's Government up to the present time have never been able to make up their minds either for or against those guns. During the last twelve months we have heard a good deal of the competition between those guns and the Armstrong guns. But I must observe, that it was not a competition between the Whitworth guns and the Armstrong guns properly so called. The Armstrong gun, properly so called, was withdrawn from the competition as soon as they commenced firing at iron plates; and Sir William Armstrong carried on the contest with what he called his new shunt gun. Now, this is a totally different gun from the Armstrong gun; it is different in design, different in manufacture, and different in the mode of rifling. It is different in design, for it is a muzzle-loading and not a breech-loading gun. It is different in manufacture, because it is manufactured of solid steel fortified by a coil, and it is not a regularly built-up gun like the Armstrong gun. Lastly, it is different in its rifling; the poly-groove system with the lead coated projectile of the Armstrong gun is abandoned, and in place of it Sir William Armstrong adopted his system of rifling from the early *canon rayé* of the French. It is not, however, a complete copy of the French gun, because unfortunately it is much more complicated, and has proved lately much less efficient than the French gun. In the experiments which have been made within the last few weeks at Shoeburyness, it has been found that the French gun beats the shunt gun both in range and accuracy. And yet, in the meantime, before the gun had been sufficiently tried and reported on, these shunt guns were being manufactured at Woolwich in large numbers and sent on board Her Majesty's ships. I have been informed that there is a very serious defect in them. Two distinguished naval officers—one of whom has allowed me to mention his name, namely, Lord Hardwicke—have informed me that they lately went down twice to the *Excellent* to see the practice on board that ship, and upon each of these occasions the projectile stuck in the mouth of the shunt gun, and it required to be hammered for half an hour with a sledge hammer before it could be got out. The reason is that the shunt gun has a nip near the muzzle, and is liable to this accident in loading. But just imagine, if this accident occurred on board the *Excellent*, where every thing is done with the greatest care and precision, what the consequences would be on board an ordinary ship of war in action. Why a gun of that kind would be disabled at once. I have referred to three of the most celebrated modern manufacturers of ordnance. But there are many others, and they all very justly complain of the obstructions that have been thrown in their way by the rules and regulations of the Ordnance Committee, which have prevented their inventions from undergoing any proper trial at the hands of the Government. Now before stating what those obstructions are, let me ask the Government why we should not adopt in this matter the simple plan of the American Government? In America, if an inventor wishes to have his gun tried he has only to go to the Government and state his wish, and if he his prepared to undertake the expense of the trial the gun is immediately tried. That is perfectly fair; it costs the country nothing; and it enables the American officers conducting the experiments to report upon every new invention. But what is the practice with us? The first thing the inventor of a new gun has to do, is to send to the Ordnance Select Committee, all his drawings, plans, and specifications. These are considered by the Committee, and if they do not approve of them, they are sent back to him, and he is told his gun cannot be tried. Now, I want to know what inventor would like to submit to such a system as that How does he know that his drawings may not be copied and used in Her Majesty's arsenals? We know that the Government claim a right to use any patent they may think proper. But if the plan should be rejected, then the invention would be discredited, and no private manufacturer would construct a gun the plan of which had been condemned by the Ordnance Committee. It must be remembered also that the members of the Committee are themselves rival inventors and rival manufacturers. I say that, under those circumstances, the Ordnance Select Committee act as a complete obstruction to the introduction of new guns. Captain Blakely for five years never had his gun tried by the Government. And why? Because he always refused to send in his drawings to the Ordnance Select Committee. Now, I cannot but think that the Ordnance Committee of this House had this special point in view, when they inserted towards the conclusion of their Report, the following paragraph :—

> "Without expressing any opinion on the controverted questions, your Committee venture to express a hope that the different systems, not of Sir William Armstrong and Mr. Whitworth only, but of the other able men whose minds are now engaged on ordnance questions, may be fairly experimented upon."

I trust the Government will take that piece of advice given by the Committee. I have endeavoured to represent the present state of Her Majesty's fleet. We have on board our fleet no guns capable of penetrating iron-plated ships. That is a very serious consideration, and more especially as we know that America and other Powers have guns that can penetrate iron-plates 6-inches thick. The American navy is now being armed mainly with 10-inch broadside guns weighing 7¾ tons, firing a minimum charge of 30lb. and a maximum charge of 48lb. They are broadside guns. Those are the guns they have in most of their ships at the present moment. Now, I ask, what would be the consequence of bringing an English ship with her old 68-pounders and her 110-pounder Armstrongs into collision with an American vessel so armed? Now, let us see what is the state of the French navy. I believe the French navy, and all other European navies, are very inferior to that of America in their guns. But nevertheless the French navy is superior to our own. The French, we all know, were the inventors of iron-clad ships. They first thought of covering ships with iron-plates. They first taught us that ships covered with five inches of iron could be propelled through the water with as great rapidity as ordinary wooden ships. When that was proved by the success of *La Gloire,* the Ordnance Department of France at once came to the conclusion that their old armaments of smooth-bore guns had become useless, and recommended the Emperor to get rid of all the smooth-bore guns in the service, and to adopt rifle guns. That recommendation was carried into effect in the French navy. The noble Lord opposite (Lord Clarence Paget) says that those French rifle guns were smooth-bore guns converted into rifled guns, and that they are not more effective than our own. But let me ask the House this question. We all admit that the French artillery and engineer officers are the most able and the best instructed in the world; and can we suppose them to be so ignorant and incapable as to have recommended their Government to adopt rifled guns, and to get rid of the smooth-bore guns if the rifle guns they adopted were not more powerful than the smooth-bores they rejected? Whatever opinion we may form of the French rifle gun, this, at any rate, we must admit that it is superior to the gun it has replaced, and, therefore, superior to the gun in our fleet, for that is the gun the French have rejected. But we are not left altogether without any knowledge in reference to those French guns. Captain Blakely was questioned by the Select Committee of 1863 with respect to the armament of the French ships, and this is his evidence upon that subject—

> "*La Gloire* has 6½-inch rifle guns of the weight of five tons. They fire smooth round shot, if necessary, or a steel bolt, which they have to fire against iron-clad ships, and which they have found by experiment will pierce a target representing the *Warrior,* if placed before it, at a distance of 1,000 yards."

The Committee then asked him, "Do you think the French gun superior to the Armstrong gun?" and he answered "I am sure of it." That is the statement of Captain Blakely. Now it is perfectly true, as stated by the noble Lord, that at first, and as a temporary measure, the French adopted the plan of rifling their smooth-bore guns, and they were successful in that attempt, and in strengthening their guns with steel bands, which, somehow or other, we never could accomplish. One of the French guns so strengthened was fired 3,000 times, and stood the trial. But the French never intended this to be the permanent armament of their ships. They always intended to arm them ultimately with the gun described by Captain Blakely; and the arming of their ships with that gun has been going on for the last three or four years. A gentleman who visited Cherbourg in the year 1863, and went on board the French ships found the *Solferino* and the *Heroine* entirely armed with those new guns. He also saw the men at quarters exercising them. They were breech-loading guns, and the officers assured him that they never blew out their breeches. Several of the French ships were at the time being similarly armed; and I have no doubt that many, if not most of their iron-clad vessels are now armed with these guns. Now, I do not believe that this is a first-rate gun;

I believe we could have infinitely superior guns in our fleet; but, at all events, I contend that it is superior to any gun we possess in our navy at the present moment. What I contend is that at a short range that gun would pierce the side of the *Warrior*, whereas we have no gun in our fleet that would pierce the *Solferino*. So much for the state of the French navy. Now what is the state of the Russian navy? The Russians did not lose much time in following the example of the English and French, in procuring for themselves iron-clad ships; I believe they have now sixteen of them. But the Ordnance Department of St. Petersburg, as soon as this decision was come to, made a report to the Emperor, in which the following passage occurs:—

> "The employment of iron-clad vessels in America has demonstrated the absolute necessity of having guns of a very large calibre, and the successful use of such guns against iron-plated vessels depends upon heavy charges."

This report was made on the 10th of August, 1862, so that at that period the Russian engineers came to the conclusion that heavy charges were necessary for their guns, and I believe we have ourselves only very lately arrived at the same conclusion. About the same time—that is to say, in the year 1862—Captain Blakely offered the Secretary for War to manufacture an 8-inch gun at his own expense, and to hand it over to him for six months to do what he liked with it, while he engaged that it should pierce the sides of the *Warrior*. The Secretary for War told him that if he had such a gun he could not use it, and he therefore declined the offer. The consequence was that Captain Blakely communicated with the Russian Government, and they accepted his proposal. He then sent two of the guns to St. Petersburg. The result was that the Russian Government was so pleased with them that they gave him an immense order. They also gave orders for guns of the same calibre to be constructed by the great German founder Krupp; and the iron-clad fleet of Russia was now armed with Krupp's and Blakely's guns. They also got guns from the French, but they prefer those supplied by Captain Blakely, and with them the Russian fleet is now being armed. The gun is of eight inches calibre with a 25lb. charge, and a projectile consisting of a long flat steel bolt weighing 180lb. Now, I ask whether it would be fair to expose one of our English ships to a collision with a Russian ship armed with such a weapon as that? I think I have proved that the United States, France, and Russia are all in advance of us in the possession of rifled guns; that in point of fact England, instead of being in the van, is following in the wake of other nations, and that is not the position which England ought to occupy. We ought to take example by the fate of Denmark, which serves to illustrate the evils that may fall on a noble and gallant people from the incapacity and shortcomings of its rulers. Previous to the late war Denmark had the advantage of a very Liberal Government. It was that Government that had caused the ruin of Denmark by the mismanagement of its foreign affairs, by wasting the resources of the country in the construction of long lines of fortification which the Danish army was not large enough to defend, and which had neglected to supply the Danish army with good rifled artillery and useful arms and ammunition for the war. We know the result, and ought to profit by the example. We have a Liberal Government which has mismanaged our foreign affairs, which has unquestionably spent large sums of money on long lines of fortifications, which the whole disposable military force of the country could hardly garrison, whilst it has neglected to supply our fleets with good rifled guns, or our soldiers as yet with breech-loading arms. It is to be hoped that the parallel will go no further, and that we shall not suffer from a catastrophe similar to that which befel Denmark. To prevent such a possibility, I have felt it my duty to bring forward this question. I do not wish to make any attack upon the Government, or upon the Board of Admiralty. I have been told by naval men that the Duke of Somerset has displayed great and most commendable energy, remarkable freedom from party bias in his mode of administering the affairs of the navy, and an even-handed justice and impartiality in the distribution of patronage most unusual in the Department. That is no slight praise, and I accord it to him because I feel it to be well deserved. I shall rejoice to find that the naval resources of this country have been wisely applied; but, if this be not so, the time has come when a change ought to take place. All I ask for is a full and free inquiry; I believe that inquiry is due to the people of England; I believe it is due to our constituents, before whom we shall shortly have to appear, and I cannot doubt that hon.

Gentlemen opposite will feel that this is a Motion which, without reference to party feeling, they ought to approve.

SIR JOHN HAY had not intended to rise at so early a period in the debate; but, fully concurring with the Motion made by his hon. Friend the Member for Inverness, he did not quite agree in all the historical narrative by which that Motion had been prefaced. He must, however, compliment his hon. Friend on the very clear and distinct reasoning by which he had enforced the fact that our ships were at present unarmed, or so badly armed that we had no right to consider them as fit to defend themselves against the navies of Europe or America. He would be very brief in the observations he had to make as to the particulars in which he thought the Government had erred in this matter. He was not going to recapitulate the evidence they already possessed as given before a Committee of the House two years ago. The Report of that Committee distinctly showed that what faults had been committed were due to the want of knowledge at the time, specific orders having been given for a description of gun which was not now equal to the necessities of the case. In 1859 there were hardly any armour-plated ships at all. The guns made in a hurry in consequence of events with reference to the possible outbreak of hostilities with America were of a very different quality from those which were now necessary, in consequence of the fact that all the navies of the world were protected by iron armour; and though a mistake might have been committed by making these guns of too light a pattern that mistake was due to the want of knowledge at the period and to the fact that the guns were wanted to contend with wooden ships, and all the blame due to the Government was apportioned in the blue-book of the Ordnance Committee published in 1863. He thought it therefore hardly worth while, after that voluminous Report had been laid on the table, to go back on the circumstances, which were perfectly different from those which now existed. The mistake made, it appeared to him, was that the Government decided that guns should be made not exceeding a certain weight. They limited the makers of ordnance in this country as to weight, and they expected results which were impracticable with light guns. Robins, the old authority on artillery, had laid it down that a gun should not be less than 150 times the weight of the projectile. The old 32-pounder, than which no better gun existed, was 196 times the weight of the shot, and with the use of a third of the weight of the shot in power its maximum force was obtained. The 95 cwt. 68-pounder was 156 times the weight of the shot, and was used with one quarter of the weight of the shot in powder, by which its maximum force was obtained. Again, the 113 cwt. gun used a charge of one third the weight of the shot with a maximum effect. On the other hand the 84 cwt. 110-pounder Armstrong gun was only 94 times the weight of a shot, or half the weight necessary to make it effective; the shot, therefore, was thrown with so little force as to be of very little value against iron-plating. The demands of the Admiralty on the War Office, as he understood, were to produce a gun that should throw a shot of a certain size—at the same time limiting the weight of the gun—to be used with facility on the broadside principle. Now, it appeared to him they must discard that broadside principle. If they meant to contend at sea with other Powers they must do away with any rules by which guns should be brought into play not of sufficient weight for the purpose assigned to them. He had the honour of acting as chairman of the Iron Plate Committee, whose Report was in the library of the House. He would take the liberty of reading what was the result of their inquiry on this subject—

> "The Committee cannot conclude their final Report without referring to a matter of urgent importance, and to which they have drawn their Lordships' attention on more than one occasion. It is the necessity for the supply, without further delay, of powerful guns, which will be capable of effectually damaging iron-plated ships, and, further, that all such guns should be supplied with a large proportion of steel shot and shells. As regards the power of the guns which should be manufactured, it has been found, after numerous and conclusive experiments on iron targets, that nothing less than ordnance of 12 tons weight, and capable of bearing a 45lb. charge, can successfully attack an armour-plated structure, such as the *Warrior*. A sufficient supply of guns of at least this power is therefore urgently required."

He thought it but justice to the Committee over which he had the honour to preside, to show that it had not neglected the duty of advising the Admiralty on this matter. He could only say if guns of that size were urgently required and not made, the fault did not lie with those who were called on to advise the Admiralty. He was sorry to say, as far as he could learn, very few guns of that size were made. The noble Lord opposite (the Marquess of Hartington) would be able to give full information on that point; but he believed only one 600-pounder gun was complete, and four nearly completed—five guns of that calibre, and something under fifty altogether of the guns recommended by the Committee. There were only two classes of guns at present in existence capable of being used against the iron-plated ships of foreign Powers. It was stated that the Admiralty had called on the War Office to make guns of seven, eight, and nine inch calibre; if so, they were of insufficient size. They had evidence to that effect from the very best authority some time ago. That very distinguished man, Sir William Armstrong, was examined before the Committee. His system of manufacturing guns—he did not refer to the rifling, as to which different opinions might be entertained—but his system of manufacturing guns enabled them to be made of any size, and so trustworthy as to be used with any charge of powder. His evidence was given in 1863 before the Ordnance Committee, from which he would quote the following passage:—

> "Now, Sir, my opinion upon this subject with regard to the kind of gun that ought to be used is this:—I consider that the enormous weight of material which iron-plated ships must use for protecting these guns will limit the armament of guns to a very small number in vessels of that kind. The enormous expense, also, of steel projectiles, which alone can be used effectively against such structures, necessitates that the ammunition should be sparingly used. I therefore consider that it will not be sufficient to use small-bored guns, and guns of small dimensions generally, which will only have the effect of making small, easily-plugged holes. I think it will be absolutely necessary to use guns of a very large calibre, which shall have great crushing effect, so as to destroy the enemy's ship at a small number of discharges and with a small expenditure of ammunition. From what I have seen of the experiments at Shoeburyness, I think nothing less than a bore of nine inches will be sufficient for this purpose, and I very much doubt whether that will be adequate. It is said that ships cannot conveniently carry guns of more than six tons weight; but I look upon it as a matter of absolute necessity that they should do so. I think that they must accept the use of large guns as an absolute necessity, and that the proper machinery must be applied for the working of such guns. I have no doubt that if it be taken up as an engineering question ways and means will be found of using guns of any required weight on board ship."

Now that evidence and advice had been before the Government for a long time, and they were only now making seven, eight, and nine inch guns, the largest of which was no larger than the smallest said to be useful for the purpose in view. The Duke of Somerset's evidence corroborated his statement. One passage was as follows:—

> "In fact if your Grace was fitting out a fleet for active service to-morrow would you recommend that the greater number of the guns should be the old 68-pounders? Not now; if I had them I would rather have a more powerful gun. I consider that what we have asked the War Office to provide us with would be the sort of gun that we require. I want a gun in which we can fire about 25lb. of powder, and I should not object to its being a smooth-bore if I could have a gun which could carry a projectile weighing about 140lb. or 150lb."

Any artillery officer could tell the Duke that a projectile of 150lb. would require a charge of powder nearer 50lb. than 25lb. The Report of the Iron Plate Committee, therefore, showed that guns of 12 tons' weight were the smallest that ought to be manufactured for the use of Her Majesty's ships. He did not think the Government were free from blame in the matter, but he could not say to which Department it most attached. He thought it would be well if the noble Marquess (the Marquess of Hartington) would be able to clear the Government from the charge of supplying guns to the navy that were not fit for the service of modern war. He seconded the Motion of his hon. Friend.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire whether Her Majesty's Ships are at present armed in a manner suited to the necessities and requirements of modern warfare,"—(*Mr. Henry Baillie,*)

—instead thereof.

Motion made, and Question proposed, "That the words proposed to be left out stand part of the Question."

THE MARQUESS OF HARTINGTON: Sir, I think it must be admitted that the hon. Member for Inverness has been more successful in pointing out the defects and shortcomings of the present system of naval ordnance than in suggesting a remedy. It was only in a few sentences at the close of his rather lengthy speech that the hon. Gentleman adverted to the advantage of a Committee on the subject. Now, considering that his remarks ranged over the history of naval ordnance for the last five years, that the greater part of the questions raised to-night were fully and in the most minute detail investigated by the Committee which was appointed three years ago, which sat during two Sessions, but which did not report till the end of 1863, and that another inquiry would hang up the question for another year — considering these things I think the House will be of opinion that it would be a waste of time —in fact a waste of a whole year — if it consented to another Committee upon these much discussed and already decided questions. Of all expedients for remedying the defects of the existing naval armament, the reappointment of a Committee after all the experiments that have been made would be the worst. This is both a practical and a scientific question, and speaking with the greatest respect for the House hon. Members can scarcely pretend to sufficient knowledge and experience to decide upon a matter of this kind in a satisfactory manner. The Committee presided over by the right hon. Member for Limerick (Mr. Monsell) entered on its labours with the most anxious desire to achieve some practical result ; but, after two years' investigation, the conclusions at which the Committee arrived were of a somewhat lame and impotent description. It would be vain to say that it need not decide between the Armstrong, the Whitworth, or the Blakely gun. Any Committee of this kind must become the battlefield of rival inventors, and get involved in personal questions, no matter how desirous they may be of avoiding them. In this way at least a year's time will be utterly wasted ; and of course the Government cannot take any new steps in the matter while the decision of the Committee is pending. I deny that the statement of facts made by the right hon. Gentleman justifies his demand for a Committee. He has gone back for five or six years, and has dwelt on the defects of the Armstrong 68 and 110-pounders. Neither the 68 nor the 110-pounder were designed for the purpose of being used against iron-plated ships. In fact, as the hon. Baronet who seconded the Motion remarked, there was no such thing as an iron-plated frigate, although there were iron-plated batteries in 1860, when the 110-pounder was introduced. What was then wanted was a gun that could be useful against wooden ships and works on shore, and that was all Sir William Armstrong undertook to supply in the 110-pounder. That gun may have been adopted in too great haste, and in too great numbers; but in justice to Sir William Armstrong it ought to be mentioned that that gun was not designed to act against iron-plates. As soon as iron-plated ships were introduced it was found necessary that a new weapon should be fabricated. No doubt this gun has been tried against iron-plates, but it is absurd to say that therefore it was intended to be used against them. That is quite a mistake. The hon. Member also somewhat misled the House by saying that the 110-pounder was introduced as a more powerful gun than any then in the navy. [Mr. H. BAILLIE : It was the Duke of Somerset who said so.] In 1863 the Duke wanted a more powerful gun ; but in 1859-60 it was not so much a powerful as a good rifled gun which was required. The Government took the best that offered, and if it has not proved so successful as was anticipated, some blame may, perhaps, rest on the Government ; but some portion of the blame ought to be shared by Parliament, who, in the most unmistakable manner, urged on the Government the immediate necessity of arming ships with heavy rifled guns. I am not going to stand up for the 110-pounder as a perfect naval weapon, but I must say a word as to the mis-statements of the hon. Gentleman concerning this much abused gun. A great many defects were represented as having been disclosed in this gun at Simonosaki and Kagosima, but the guns used in these engagements were of the earliest pattern and earliest manufacture, and great improvements have since been made in the vent-pieces and breech-screws, and I believe they worked much better at Simonosaki than at Kagosima. Therefore, it is not fair to judge the guns now in the Channel Fleet and other ships by the experience of the guns used at the engagements which have been referred to. The hon. Member stated that nearly all the 110-pounder guns on board the fleet had been returned for the purpose of undergoing repairs. It is fortunate for the hon. Member that the Return of the guns undergoing repairs, which was moved for a few days ago by the hon. Member, is not yet ready for presentation, because it would be seen that those repairs are all of the most trifling description, and from faults that do not in the slightest degree militate against their efficiency. I do not know whether the number of guns landed from the ships as stated by the hon. Member is correct; but the House will recollect that the hon. Member stated that the whole of the *Warrior's* guns wanted repairing. Those guns, however, were exchanged for others on account of a small deviation from the pattern in respect to breech-rings; but of the guns so removed only one required any repair at all. I shall, therefore, leave the House to draw its own conclusion from the statement of the hon. Member, exaggerated as I have shown that statement to be. Now, Sir, the hon. Member spoke as if our armament consisted entirely of 68 and 110-pounders, and as if Government had done and was doing nothing to provide the service with a more efficient weapon. But, Sir, the hon. Member must know, and I think the House must also be acquainted with the fact, that the Government and the Ordnance Committee have been working steadily with a view to procuring for the navy a heavier and a more efficient gun. I think it is three years since the trial of the first 12-ton gun, and fresh experiments and alterations have been carried on ever since, with the view of bringing that gun to perfection. Nearly a year ago a gun of 12 tons' weight and 9 inches calibre was tried at Shoeburyness, as referred to by the hon. and gallant Member for Wakefield (Sir John Hay), and that gun gave satisfaction to the Iron Plate Committee. The hon. and gallant Member says we ought to have constructed a larger number of those guns; but, Sir, a considerable number of those guns are in course of construction at this very moment. The experiments took place in June or July. The Estimates had already been voted, and we, therefore, had no large sums which we could spend upon the construction of these weapons; but on finding, in August or September, that we had money which could be made available, a certain number of these guns were put in hand in anticipation of the Estimates. It will be my duty to provide for these guns in the Estimates, but I shall be very unwilling to state the number which are contemplated, because I believe that it is a practice which has not been adopted in this House, and because I think it is unadvisable to publish the exact number to the world. I am ready to admit that the limit mentioned by the hon. Member was higher than that to which the Government proposed to go this year; for it must be recollected that whatever the opinion of the Iron-plate Committee may be—and I do not deny that their opinion is entitled to great weight—that the 12-ton 9-inch gun is not the only gun of any value for the armament of iron-plated ships. [SIR JOHN HAY: 10½-inch.] The gun which has been referred to, and which produced these results, was the 9-22 inch shunt-gun. The House must recollect, however, that it is not the only gun which has been found successful against iron plates. The 6-ton 7-inch calibre, rifled on the shunt principle, has been found a most efficient gun against iron plates. Only a few weeks ago the gun fired completely through the *Warrior* target, and we are engaged upon the construction of a much larger number of guns of that calibre. That gun is one which can be easily carried by ships, and there are not in the navy at this moment—and my noble Friend will correct me if I am wrong—ships capable of carrying in great numbers the 12-ton guns. It is true that such ships are in course of construction. We are this year, in accordance with the request of the Admiralty, preparing to equip the vessels which they propose to fit out. I admit that we are not working at high pressure, that we are not preparing a stock of guns, and that we have not all the guns we should require in case of war; but I will give our reasons for not employing any undue haste. It is, I think, somewhat hard upon the Government that we should be rebuked by the Mover of this Amendment for progressing with undue and indecent haste in the manufacture of these 110-pounder Armstrongs, and for placing these guns on board our ships without sufficient trial, and that we should then be found fault with by the Seconder for not using celerity enough. We have certainly had plenty of experiments, and I am inclined to agree with the hon. and gallant Gentleman that the 12-ton gun on the coil principle with a steel projectile, is a most efficient weapon. I think, however, that he would be a very bold man who would decide upon this question definitively in its present stage. It is very possible that, at no lengthened period, a gun may be constructed still better than it. I believe, therefore, that we are acting rightly in not urging forward the manufacture of these guns with any unnecessary haste. We are, as I have stated, making those guns which the navy require for immediate use, putting off as long as we can the question of providing an ample stock for ships which are to be constructed. There is also another reason. The House is aware that a Committee has been sitting for, I think, very nearly two years, for the purpose of inquiring into the relative merits of the system of artillery invented by Sir William Armstrong and Mr. Whitworth. The late Sir George

Lewis stated in the House that it was not the intention of the Government to proceed hastily with the manufacture of new guns until the question had been decided by the Committee. The House received that statement with satisfaction, and it especially met with the approval of the hon. and gallant Gentleman the Member for Huntingdon (General Peel). It must be remembered that this subject has been completely taken out of the hands of the Ordnance Select Committee, because the Committee engaged in deciding between Sir William Armstrong and Mr. Whitworth have nothing to do with the Ordnance Committee. I believe, however, that these inquiries are approaching a conclusion, and that we shall soon be furnished with the result. Although I do not imagine that the Committee will decide every question connected with the science of artillery I think it would be most premature to embark very largely in the manufacture of rifled guns either on the Armstrong or the Whitworth principle until their Report is presented. It may be urged that we could prepare the guns and leave the rifling until the decision of the Committee is before us. This we have done. We have 7-inch and 9-inch guns at present in course of construction, which we shall leave unfinished until we have the Report of the Committee, when we shall be able to rifle them upon the Armstrong, the Whitworth, the French or any other system which may be preferred. Mr. Whitworth has, however, so mixed up his system with the construction that I doubt whether it would be satisfactory to him or to the country to rifle on his plan one of our 12-ton guns or 6-ton guns at present being constructed in the factory. He would say that the gun had not been constructed of the right proportion and right calibre, and the result would probably neither be satisfactory to the country nor Mr. Whitworth. A great many questions are still open, for it must be remembered that the points in dispute between Sir William Armstrong and Mr. Whitworth include not only rifling, but proper construction, weight, and other matters. While so many questions are still open, and it is likely that we shall soon have the benefit of the vast experience which this Committee has acquired, I think it would be in the highest degree impolitic and premature to proceed with undue haste in the preparation of these heavy guns. It must be recollected that the construction, to any great extent, of the 12-ton guns recommended by the hon. and gallant Gentleman, would, in case they should hereafter be found unsatisfactory, involve not only the abandonment of all those guns, and the loss of money spent upon them, but would also throw us back still further, and make it still more difficult for us to get into the right mode of proceeding. For it must be recollected that the number of guns required for our navy is so large, and the number of fortresses to be armed with the same kind of guns is so large, that it is absolutely necessary that whatever guns are adopted for the navy should also be adopted for the armament of our fortresses, and the consequent expenditure upon the adoption of any particular system would be immense, and therefore I think the House will agree that it is impossible for us to proceed too cautiously in the matter. But is there any necessity for us to proceed with very great haste? The hon. Member has stated that the ships of several nations are better armed than our ships, and he first mentioned the Americans. It is true that the Americans have larger guns than we have, but I very much doubt whether their guns are better than ours. The hon. Member could not rely upon the American rifled guns. The rifled guns of America, which we were told last year were so successful, have turned out to be the greatest failures upon record. We have it stated last winter in the report of the American bureau of naval ordnance, and from other official reports, that the Parrott gun is the only rifled gun in their service, and that it is the best and the simplest gun constructed. Now, we have it upon the authority of Admiral Porter that almost every one of these guns fired at Wilmington burst; and we have it also upon Admiral Porter's authority that they are utterly discredited, and I think it very probable that they will be entirely withdrawn from the American navy. Therefore, I am justified in saying that the Americans have not at this moment a good rifled gun with which to arm their navy. I would like to know what hon. Gentlemen on the other side of the House would say if it could be alleged of us that we had not any rifled guns for our navy. Does the hon. Member wish us to follow the example of America, and arm our ships with Parrott guns, almost all of which have burst, and not burst as the Armstrong, by a slight opening or chink, but have burst in such a manner as to endanger, if not to destroy, the lives of the crews of the vessels? As to the enormous smooth-bore guns with which the Americans are now arming themselves, I think it is a mistake to suppose that those guns are very much superior to anything we have. We have some guns, not very many, perhaps, but some wrought iron guns 10½ inch calibre, 12-tons' smooth-bore, of the kind on board the *Royal Sovereign*, which are fully equal to anything the Americans possess. Those guns certainly are not of such large calibre as some of the American guns, but they are made of wrought iron instead of cast iron, and bear a charge of one-fifth of the weight of the projectile, while the American guns have a charge of only one-eighth or one-tenth of the weight of the projectile. The 9-inch smooth-bore guns, to which the Duke of Somerset referred in his evidence, and which the Admiralty had pressed the War Department to supply—those guns, it is true, have not been very much pressed on the navy; but solely, I believe, because officers of the navy are becoming aware that a rifled gun of the same weight of metal is much more useful to them in battering iron plates than a smooth-bore. The weight of the gun and the charge of powder taken by these smooth-bore 9-inch guns justify the assertion that they are at least equal in power to the 10-inch and 11-inch guns with which the hon. Member stated, and, I believe, correctly stated, the Americans are now arming their ships. I mention these facts to show that, even at the present moment, we are not hopelessly behind America, as the hon. Gentleman would imply. And it must be remembered that the Americans have not like us been in a state of repose, but have been in a state of active war, and therefore have not been able to consider calmly which is the best gun for their navy. They have been for three or four years at war, employing their navy to a large extent, and it would be most unfair to compare our naval ordnance in a state of peace with the American ordnance. The hon. Member also drew a comparison to our disadvantage between the French ordnance and our own. The information upon that subject is rather vague. I believe there are very few guns of the kind described by the hon. Member in the French navy. Those guns are about five tons weight, and probably with steel projectiles they might produce some effect at short ranges upon an iron target. But I do not believe at this moment they have more guns of that kind than we have of guns of heavier weight. I believe the officers of the French navy are more dissatisfied with their ordnance than our officers are with our guns; and I also believe that the French have not yet made up their minds as to what is the proper gun to adopt for the navy. Therefore, as far as the French are concerned, there is no reason for us to be alarmed. The hon. Member seems to know a good deal about the armament of the Russian navy. I always thought it was a very difficult matter to obtain accurate details connected with the Russian army or navy. The Russians are not so communicative as to their experiments, or the state of their preparations, as we are. It is quite possible that the Russian Government have ordered some guns from Captain Blakely. It is not a fact, as was stated by the hon. Gentleman, that no trial of Captain Blakely's guns has ever been made by the British Government. Captain Blakely offered them a gun; it was accepted, and it was proved, but it burst in the proof. I do not mean to say that is any proof of the inferiority of Captain Blakely's guns, because he has since stated to us that the gun in question was one of his third-rate guns. It is true that Captain Blakely's first-rate guns have not been accepted, because they are so expensive, and, judging from his own description of his guns, and our own knowledge of what can be performed by guns of a cheaper construction manufactured by us, they are not worth the cost of the experiment. But I believe the Russians have also got some Prussian guns, but I doubt whether the information of the hon. Gentleman is absolutely correct. In spite of the secrecy observed by the Russian Government, it is known that two of Krupp's guns have burst at St. Petersburg, and burst in such a manner as to cause considerable damage and loss of life. All these things should be considered, and it must be remembered that in all the failures of the Armstrong guns, there has, as far as I am aware, been no loss of life. Steel may be a very excellent material, well adapted, in some respects, for the manufacture of guns; but it must, at the same time, be borne in mind that as to the probabilities of bursting it is a most dangerous material. The bursting of a steel gun is more dangerous than that of a cast iron gun, and the wrought iron guns now manufactured on the coil principle, even if not strong enough for the charge, do not burst, but simply exhibit a flaw, without causing injury to any one. I do not believe that any State is so far a head of us as to require the Government to repeat the error—if error it was—that was made by the Government when they proceeded in such a haste to manufacture 110-pounder rifled guns. I do not believe that any country has much the start of us. I believe that even in respect of the guns we have in store, and the guns we have on board our ships, we are equal to any State. If the Russians are ahead of us, it is but by a very small number of guns, and then it must be remembered that we have in this country, in case of war, the power of manufacturing guns of this kind at a very much faster rate than any other country, although there is no doubt that wrought iron guns do require longer time for their construction. We are going to make this year in the factories as many of the 12 and 6-ton guns as can be produced without working overtime, and if any sudden emergency were to arise we should be able to double that by working overtime and calling on an extra number of hands. The Elswick factory, too, I am able to say, could produce about two-thirds of the number we could produce at Woolwich. Mr. Whitworth, though he does not work on the coil principle, would be able to produce guns of considerable strength, and there are other establishments in the country which, if the pressure of an urgent necessity were to come upon us, would be able to turn out heavy guns in almost any numbers we might require. With these resources at our disposal, it would be most unwise if we were to encumber ourselves with a large number of guns which however well we may think of them now might eventually not turn out to be successful. There are many questions with regard to rifling and construction still undecided. The history of the 12-ton gun has shown that we are improving the construction of our large guns from day to day. We are at present constructing as many guns as the navy actually requires, and if we are not providing guns against an emergency we do not anticipate, it is because we do not believe that other countries are in that forward state as to warrant that haste on our part, and because I believe we have superior powers of arming our navy which they do not possess. I hope therefore that, for these reasons, and believing as I do that it will have no practical utility, the House will not accede to the Motion for the Committee. So far from its facilitating the professed object in view I believe it will retard it for at least another year.

General PEEL: I trust my hon. Friend will not think it necessary to move for a Committee; for, in the first place, it can require no Committee to decide that Her Majesty's ships are not armed with guns suited to the necessities of modern warfare. So far as that point goes we need no Committee to decide it; and as to deciding what the armament of war ships ought to be, I, for one, should be most opposed to any Committee of this House giving an opinion on the point. Now, no responsibility can attach to me in anything connected with the question now before the House, except that portion of it which the noble Lord has not sufficiently explained—the constitution of the Ordnance Select Committee. As far as the armament of the navy is concerned, neither myself nor any Member of Lord Derby's Government is responsible for the adoption of the Armstrong gun as a naval gun, nor was a new naval gun of any sort or kind ordered during that Administration. Lord Derby's letter, which was made an official document, requested that no gun of a larger calibre than the field gun adopted for field service in the army should be made without further trial: in fact, that there should be careful trials before any large gun was adopted. We, therefore, cannot be responsible for the naval gun. The only large gun ordered I believe was a 70-pounder, which the Admiralty requested might be furnished them for experiment. The hon. Gentleman behind me has made some remarks with regard to the Ordnance Select Committee which has somewhat surprised me. He said the Members of the Select Committee were themselves manufacturers and inventors. Why, the very object of appointing that Committee was that there should be no manufacturers or inventors on it. The great complaint against the old Committee was that several Members of it were in the habit of pressing inventions of their own. The object of appointing the present Select Committee was that there should be no inventors on it, and if there have been it is in direct opposition to the spirit of the appointment. [Mr. H. Baillie: There have been inventors on it.] My hon. Friend says, "Why not recur to the old state of things?" and he is sure that such men as the Duke of Wellington, Sir George Murray, and other distinguished Masters General of the Ordnance, if they had been at the head of the Board of Ordnance would never have sheltered themselves under the advice of a Committee. But there always has been an Ordnance Select Committee, though differently constituted, and the only change was that we selected men whose whole time could be devoted to the duties, and who were not merely *ex officio* members. That was the case with the old Select Committee. They had had rifled guns before them for at least three or four years, and they never could agree which was the best. The first thing we had to do was to appoint a Committee to decide which was the best of the guns which had already been brought forward. I have always maintained that the Secretary for War is not responsible for the guns of the navy. [An hon. MEMBER: Who is, then?] The First Lord of the Admiralty, of course. It is perfectly impossible for the Secretary for War to decide which are the best naval guns. It is on board ship that their merits have to be decided, and what opportunity has the Secretary for War for such decision? His duty is to supply guns of the pattern which the First Lord sends him; he cannot try whether they are the best. They may be the best guns for field service, and yet not suitable for the navy, as appears to be the case in this instance. The First Lord of the Admiralty has quite as good an opportunity as any Member of this House for knowing what guns the Russians, Americans, or other services may have. He has nothing to do but to order the Secretary for War to make and send him any gun he may approve for trial, and if he approves it then the Secretary for War must supply him with as many as he wants. I object to the Committee, therefore, for two reasons. I do not see that a Committee is needed to decide, what is admitted, that the navy is not properly armed; neither do I think that the Members of this House are fit and proper persons to give an opinion as to what is the best naval gun. Notwithstanding all my hon. Friend has said as to the Ordnance Select Committee, I would rather take the opinion of one of its members on such a matter than of any Committee which this House could appoint.

MR. BENTINCK said, he was very anxious briefly to state the grounds upon which he should support the Motion, as his hon. Friend had stated he should go to a division. His hon. Friend (Mr. H. Baillie), in his clear and able statement, had put the question before the House in a most intelligible manner, and it rested upon the point whether Her Majesty's ships were or were not at the present moment furnished with the best description of gun that could be procured. It was impossible to conceive a question of greater importance; and though he was not going to offer an opinion upon it, he was bound to say, after having listened to the speech of the noble Marquess the Under Secretary of State for War (the Marquess of Hartington), that he had not heard from him any answer to what he conceived was the gist of the question, or any reason assigned why the Committee should not be appointed. His noble Friend had complained that the hon. Member for Inverness had made various complaints without suggesting a remedy for the evils of which he complained; but, if after stating what he considered to be the grievances of which he had to complain, and the laches on the part of Her Majesty's Government in not having procured the best guns for the navy, he had taken upon himself to state what was to be the remedy, he would have gone beyond the position of an independent Member of that House; and, therefore, he (Mr. Bentinck) did not consider the noble Marquess had any right to make such a complaint against the hon. Member for Inverness. The noble Marquess had said nothing in answer to the reasons urged by the hon. Member with reference to the inefficient armament of the navy, or why the Committee should not be appointed. The noble Marquess had, however, stated that a Committee was lately appointed. That was perfectly true, but it had been shown in the course of the debate that not one of their valuable suggestions had been adopted. The principle of going into questions of this kind by means of a Committee having been established, the House was bound in justice to itself, and also to that Committee which had made recommendations of grave importance on a matter of this kind, to know upon what grounds Her Majesty's Government had thought fit to reject those recommendations. He agreed with the right hon. and gallant Gentleman the Member for Huntingdon (General Peel) that a Committee was not the best mode of treating this and kindred subjects; but the principle having been once adopted he contended that the House was bound to know why Her Majesty's Government had not dealt with the recommendations of that Committee, and, therefore, he thought that any objection to the appointment of another Committee fell to the ground. Had they or had they not the best possible gun that could be procured for the navy? Now, so far as he could gather from what the noble Marquess the Under Secretary of State for War had said, he understood the noble Marquess to admit that Russia was ahead of us in point of guns which he (Mr. Bentinck) ventured to think was in itself a most alarming admission; and if that were so he thought the country would be of opinion that it was a most unsatisfactory state of things. He did not think this country should rest satisfied if any other country was ahead of us in ordnance. If we were in this position of inferiority the cause was that which was at the root of all evil in the management of our national affairs—a misplaced and an ill-timed economy. He believed it was on the score of expense that the Blakely gun was not adopted; and he was very much afraid—though it did not appear on that occasion—that it was the cloven foot of the right hon. Gentleman the Chancellor of the Exchequer which peeped out under the mantle of economy which had been worn by his noble Friend—that was the root of all the mischief. The noble Marquess proposed to remedy the evil by working overtime in case of emergency; but was he or the House aware of the millions that had already been wasted in working overtime in cases of emergency? And he asked his noble Friend whether he told the House on behalf of the Government, that, notwithstanding the present aspect of affairs on the other side of the Atlantic, they did not contemplate the possibility of hostilities. He should like very much to hear whether some more responsible Minister of the Government would bear out the noble Marquess in the belief that the Government were justified in leaving the navy, by their own admission, in an inferior state to that of other countries, with the intention of working it up by double time when an emergency occurred, but which they took upon themselves to say they did not contemplate under present circumstances. In the course of one of the most important and portentous, though brief debates which took place a few nights since in the other House of Parliament, it was admitted that our relations with the country on the other side of the Atlantic were not of a very amicable character, and that great ill-feeling and hostility existed there towards England, and a probable mode of aggression was stated; and it was admitted by those who held the most influential positions on both sides of the other House that the honour of England was bound up in defending Canada from any act of aggression on the part of the Northern States. That being so would Her Majesty's Government, under the circumstances, inform the House of Commons that this was a time when they could leave the navy in a condition inferior to other countries, and that they intended when the emergency which they did not anticipate occurred to make it up by working double time? It was one of the most marvellous and monstrous statements that had ever been made to the House; and was there, he asked, no community of action or general understanding between the different Members of Her Majesty's Government? Judging from what had been so recently stated in both Houses of Parliament, would any hon. Member, he asked, say under the circumstances that no emergency could be contemplated, and that it was within the limits of prudence and common sense to allow the navy to remain a day or an hour other than in the most perfect condition to which money could bring it; because he ventured to say, and it was no use blinking the question, that if unfortunately we were to find ourselves in a state of hostility with the Northern States of America the battle must be fought at sea. He would not go into the question whether it was right or wrong to keep our military armaments in their present state, but such was their condition that he did not think they could contend with the Northern States on the frontiers of Canada, and he did not think his noble Friend would deny it. All great struggles between commercial countries, especially were determined not by victories but by the process of exhaustion, and if this country were to find herself at war with the Northern States it would only be by commercial exhaustion that the struggle would be decided. The excuse of economy made by his noble Friend was an argument strongly in favour of the Committee, and, if appointed, he hoped the first thing to which they would direct their attention would be how far the principle of mistaken, ill-advised economy had led Her Majesty's Government not to provide the navy with the best description of armament they were able to find. He should go to a division with great pleasure.

SIR FREDERIC SMITH was of opinion that his hon. Friend who had introduced this question had laid before them a very simple issue, and that the House was indebted to him for the part he was taking in the matter. The question the House had to consider was whether our ships were armed as they ought to be for modern warfare; and he hoped his noble Friend the Secretary to the Admiralty would be able to clear up the doubt that existed on that point. From all the experiments which had been tried at Shoeburyness it appeared to him that our armour-plating was not efficient for the defence of our ships against the fire of the heaviest artillery, and that our guns now in use were insufficient to contend with the heavy guns which they would have to be opposed to if we went to war. The hon. and gallant Member for Wakefield (Sir John Hay) had said truly—and there was no higher authority—that such were the thickness and strength of the plates, we should require to use a charge nearly one-third the weight of the shot to penetrate the thick plates with which ships would be protected. If we had not 12-ton guns, he believed we had not the armament we required. If we required guns of that weight of metal, and if we had them, he knew no reason why the fact should not be stated publicly in that House and before a Committee. If we had them not in use, the Department represented in that House by his noble Friend (Lord Clarence Paget) should ask the Ordnance Department to supply them. Let them not wait for those guns till we were at war. This country had shown herself rich enough to throw away money in various ways; but it would not be throwing away money to provide those guns, even should better ones be discovered hereafter. We should procure guns suited to the period; and if these should be superseded by other guns, they could be altered or new ones procured in their stead—this was the paramount duty of the Government. When the first Armstrong guns were no longer thought to be suited to the requirements of the times, we got other guns; but he believed that other Powers had guns as good as or better than ours. We ought to have the best guns. We could afford to have them. The number of our guns for our military purposes might be small in number; but, as to our navy, we must have enough of efficient guns for the whole fleet. There was no use in sending ships to sea if they were inefficiently manned or armed. It was necessary that our armaments should be equal to the object which we had in view, and that, he would venture to say, was not the case at the present moment. No one could, therefore, look forward without apprehension to the result in the event of the breaking out of a sudden war. He hoped the noble Lord had recognized the necessity of giving up the broadside principle. If so, the sooner he carried out the rival system the better. It was clear that if they could not carry heavy guns on the broadside principle, that system must be abandoned. It would be satisfactory if the noble Lord would inform the House whether Captain Sherard Osborn had not reported that the *Royal Sovereign* was the finest ship of war he ever was on board of, whether he did not think she was able to fight any ship in the Channel fleet, including the *Warrior*—that she was very fast, that she had very few defects, and that any defects she had were inherent to her construction and not due to the turret principle. She did marvels. She was a very good sea boat—and, considering what was the state of her bulwarks, not very wet. She rolled only 11 degrees on either side, which said a great deal for a vessel so constructed. Who was to blame for the defects in her construction? But, passing from that subject to the speech of his hon. Friend the Member for Inverness, he must be allowed to say on behalf of the Ordnance Select Committee—on which the hon. Gentleman seemed to have made somewhat of an attack—that it was composed of men of the highest talent and industry, who devoted the utmost attention to the discharge of their arduous and onerous duties. His hon. Friend said they were manufacturers, but that was not the fact. Inventors some of them might be, but the moment a man became one he was always removed. A more pure and independent Committee, he believed, never existed. His hon. Friend had also stated that the French corps of Engineers and Artillery were the best in the world. Being an engineer himself he should say nothing as to the merits of that body, but he was prepared to maintain, in opposition to his hon. Friend, that, so far from the Royal Artillery being inferior to the French, there was no artillery in the world superior to that of her Majesty's service in point of courage, talent, and devotion to their duties. But to return to the question of guns, nobody, he thought, who had examined the reports of the experiments which took place at Shoeburyness could fail to have perceived the great value of having a heavy gun and a high velocity. The moment you increase the charge you obtain a great effect upon the target. You must get guns so heavy that they would take a charge of powder equal to a third of the shot's weight. The sooner they got those armaments the better; there was not a day to be lost. They were talking of increasing the fortifications in Canada. As Englishmen they were bound to do their best to protect Canada, but, in his opinion, that country was doomed unless prompt and strenuous efforts were made for its security by a good organization of its militia as well as by well placed and carefully constructed works of defence. He wished to know, in conclusion, whether any gun had been decided on, and was being prepared for the defence of the Lakes by the naval service; and, if so, whether it was of a large calibre? If the noble Lord told them that the navy was properly armed, there would be no occasion for the Committee moved for.

MR. PEACOCKE was of opinion that his hon. Friend the Member for Inverness had made out a good case in support of his Motion. He had told the House that the navy was not properly armed, and the Under Secretary for War had not ventured to say that it was. Was it not, he would ask, under those circumstances, within the province of the House of Commons to inquire into the subject, and the duty of hon. Members to see that the Executive performed its duty with respect to it? One of the questions which had been raised in the course of the discussion was who was responsible for the guns which were issued to the navy? And that question had been answered by the right hon. Gentleman the Member for Huntingdon (General Peel), who said that the responsibility rested upon the shoulders of the First Lord of the Admiralty; but, on the other hand, the statement of the First Lord of the Admiralty (the Duke of Somerset) before the Committee was—

> "All we can do is to send to the War Department and say what guns we think we want; but in the case of any new gun we must rest entirely on the War Department for an opinion with regard to that new gun."

Now, was it fitting that when the navy required a gun quite different from that which might be necessary for the army, it should be left dependent in the matter on the judgment of the War Office. It must also be borne in mind that the Committee by which guns were provided for the navy was composed, with the exception of one gentleman, exclusively of military men: there was only one naval man on the Committee; the natural consequence, of course, being, that the guns distributed to the navy were found to be almost entirely useless. Then, in the case of the light Armstrong gun for the army, the fact appeared to be that it had been so little tested that when, in 1862, after it had been served out to the army for service, it was thought desirable to try it by means of a system of rapid firing, the result of the experiment which was carried on at Shorncliffe was that out of two batteries of twelve guns six were returned as unfit for service. The noble Marquess opposite, he might add, had stated that some guns were being made; but he should like to know whether there were more being made than twenty-six of 9-inch bore and 13½ tons weight for naval purposes. He asked that question because the only guns which could be considered really efficient were those which were capable of piercing the sides of the Warrior, and to do that they must carry 35lb. of powder. He believed they were making guns of 6½ and 7-inch bore, which would be utterly inefficient for that purpose. But while we were proceeding at our present rate, the Americans were constructing a 10-inch solid shot gun, carrying a minimum charge of 30lb., and a maximum of 50lb. of powder. They were also constructing a naval gun of 15-inch bore, 19 tons weight, carrying a minimum charge of 35lb. of powder, and a maximum of 50lb., and carrying shot of 420lb. weight. What, he would ask, under these circumstances, would be the position of our navy, if we were now compelled to meet the American navy armed with guns of that description? The noble Marquess opposite had thought proper to allude to the Report of the Ordnance Department of the United States, to show that their guns were failures, and he quoted it as if the Report was opposed to the views of his gallant Friend behind him; but he found at page 34 of the Report a statement by which those views were fully borne out. That statement was as follows:—

> "I am satisfied that most, if not all, the serious damage she (the rebel ram) has sustained was

> caused by the 15-inch from this vessel. There can be no doubt that her fire compelled the *Tennessee's* surrender, and perhaps saved the entire fleet of wooden vessels from destruction; thus again vindicating the judgment which added this peculiar class of vessels to our navy list, and placed on board of them the powerful guns with which they are armed."

Now that extract afforded, he thought, a most complete vindication of the views entertained by his hon. and gallant Friend. But there was another circumstance to which he wished to call the attention of the noble Lord the Secretary of the Admiralty, and in reference to which he challenged a denial on his part. A French gun of 7½ tons and 7 inches bore, shot 110lb., powder charge 25lb., was tried about a fortnight ago; the English shunt Armstrong, latest improved, 7½ tons, bore 7 inches, shot 110lb., powder charge 25lb., was also tried, and the result was that the French guns showed rather greater accuracy, loaded much easier, and gave a better range—so that the gun on which we at the present moment relied was in every respect inferior to the French. Any gentleman going into the museum and inspecting the model of the shunt gun must see that, to any ordinary mind, its management would be attended with great difficulty. It required the most delicate manipulation, and he had been told that in recent trials the shot had stuck half-way, and it had been necessary to send for an armourer to drive home the charge. If this occurred on board the *Excellent*, in smooth water, and at mere gunnery trials, what might not be expected to occur in action when men grew excited? He believed that before the action had lasted an hour half the guns would have become incapable of further service. In making these remarks he had no individual feeling in favour of any of the inventors; his only wish was to see the navy properly armed, and when, according to the unanimous opinion of every Gentleman who had addressed the House that evening, the navy had a very inferior style of armament, it was the duty of the House to insist on a most rigid and searching inquiry.

LORD CLARENCE PAGET said, if he thought the appointment of a Committee could assist in getting for the navy the best possible gun, he should be entirely in favour of the Motion; but, according to his experience, Committees, with the very best intentions, rather retarded than assisted these very important matters. There appeared to be some little confusion as to the responsibility with regard to ordnance of the First Lord of the Admiralty. What the Duke of Somerset had adverted to before the ordnance Committee of 1863 was this. The War Office was carrying out certain experiments which could only be carried out under the authority of that Department, and his noble Friend depended upon the War Office for the result of those experiments. When once a gun that was approved had been selected by the Admiralty requisitions on the part of the navy were sent in to the Secretary of State for War, who was prepared, on all occasions, to supply the navy with everything which they sought for. He would not travel into a discussion of the merits of the Armstrong and Whitworth guns, but an explanation of the present position of the navy in this respect would, no doubt, be interesting. And first, with regard to the opinion expressed by the Committee on Iron Plates that the 12-ton guns were the least in weight that would be available against armour-plated ships. To that opinion of the Committee he must own that he demurred, thinking it rather hastily formed. Within the last few weeks very conclusive proof had been obtained that a gun, of which they were now making upwards of 200 for the navy—a rifled gun 6½ tons weight and 7 inches bore—could pierce the *Warrior* through at 200 yards. That, moreover, was a gun which they knew and felt confident they could carry in their broadsides. A time, no doubt, would come when they would be able to carry 12-ton guns all round the ship, but this point had not yet been reached, and prematurely to subject the country to the cost of making these large guns by wholesale would be, he thought, a very great piece of folly. It would not be advisable, even if it were possible, to state exactly everything that the Department had done or contemplated, but he might say generally that a requisition had been furnished to the War Office to supply as many 12-ton rifled guns as could be carried in our ships at present. Twelve-ton guns were accordingly being prepared for the *Royal Sovereign*, and other ships. If he were asked whether our ships at the present moment were armed in all respects as he should wish them to be, he should answer that they were not. There was a Committee going now carefully into the question of rifling. But he did not know why the hon. Gentleman should venture on the assertion that the French guns should be better than our own. Where was the report the hon. Member had alluded to? [Mr. PEACOCKE: Oh, you have it.] Undoubtedly, trials of the merits of the French system were going on in this country, but no conclusive results had yet been obtained to show that the French system of rifling was better in all respects than the shunt system of Sir William Armstrong. But the question for the House and the country to consider was whether at the moment when the whole question of rifling was undergoing careful consideration by a Committee the whole of the new guns in process of manufacture ought to be rifled without waiting for their opinion. It must be borne in mind that when once the guns themselves were made, the facilities for rifling them at the disposal of the War Department were very great. At present they were manufacturing 6½-ton, 9-ton, and 12-ton, guns, but it would be better to wait for the Report of the Committee, before rifling them. The system of rifling once determined upon, as many as six or seven guns could he believed be rifled in a week. Into the comparative merits of the turret and broadside systems he would not enter, but would defer any remarks he might have to make until the debate upon naval construction, which would be dealt with in the discussions on the Navy Estimates. He appealed to the hon. Gentleman, not to press to a division his Motion for a Committee, which, instead of accelerating, must retard the attainment of that object which they all had in view.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 57; Noes 22; Majority 35.

CHAPLAIN GENERAL OF THE NAVY.

OBSERVATIONS.

SIR HARRY VERNEY rose to call attention to the evidence given to the Committee on Navy Promotion and Retirement in 1863 on the subject of re-appointing to the office of Chaplain General of the Navy. He said it was the opinion of many naval authorities that it would be of essential value to the service. We have learnt by experience that the best way of governing men was to appeal to their higher interests and the better portions of their character, and that when a chaplain in the navy duly appreciated his character and position, and was not thwarted in his efforts, he exercised an influence of great importance in raising the moral standard of the men under his care. The position of a naval chaplain was, however, one of peculiar trial and difficulty. All the other officers of a ship had some one to whom to look for advice and counsel. Senior surgeons and junior engineers and assistant masters had recourse to the opinion and advice of their seniors and superiors. In the army, a chaplain, if he desired assistance, might appeal to the Chaplain General of the forces. But the chaplain on board a ship was in an isolated and difficult position. The only naval chaplain examined before the Committee on Navy Promotion and Retirement was the Rev. W. Whitmarsh, chaplain and naval instructor of the *St. Vincent*, who thought it would be very desirable for unity of action to have a Chaplain General. Mr. Whitmarsh referred to his own experience in the *Sanspareil* with Captain Dacres. He had been enabled to establish a private library among the officers, and very soon afterwards he found a great desire among the men also to have a private library of their own. He also found great advantage from establishing an evening school. When Mr. Whitmarsh joined the *Agamemnon* the men and the petty officers asked him to establish for them a library and an evening school, the same as in the *Sanspareil*. He added that there existed generally among the chaplains a feeling that they would be able to carry out their work more satisfactorily to themselves and beneficially to the service if they received their instructions from some spiritual head. The opinion of the naval officers examined before the Committee was generally in favour of the appointment. Admiral Sir G. R. Mundy thought it would be a very good thing if there were a Chaplain General for the navy, provided the regulations were the same as at the Horse Guards, and that he was appointed under the same conditions. Admiral Elliot thought that a Chaplain General would be beneficial to the service, if it were only that he might, by inquiry, be instrumental in selecting chaplains for the service. The chaplains in the navy, he added, did not report to any superior officer. They looked to the Admiralty through their captains; but it would not be beneficial for naval chaplains to report to a Chaplain General except through their captain. Captain Cooper Key thought it would be desirable there should be a Chaplain General in the navy if he were distinctly under the Admiralty, as he would be if the chaplains made their reports through the captains of the ships. He added, however, that there was a great variety of opinion among the chaplains themselves on the subject. The Duke of Somerset thought there would be some advantages in having a Chaplain General, but that whatever communications were made ought to pass through the captain of the ship. Other officers gave similar evidence as to the importance of appointing a Chaplain General. He had asked the opinion of the Bishop of London, well known as a most earnest prelate, upon the subject, and had received from him the following letter:—

> "My dear Sir Harry,—I am glad to hear that you are likely to draw attention to the importance of appointing a Chaplain General for the Navy. During the eight years of my tenure of the see of London I have frequently been called to consider this subject, and, though fully aware of the difficulties which may be urged, I am decidedly of opinion that the change from the present system would be very beneficial. The senior chaplain of Greenwich Hospital does not appear to exercise the sort of influence which a regularly appointed Chaplain General might be expected to have. The evidence seems to go to this—that a Chaplain General might be of great use in aiding the Admiralty authorities to select good chaplains: that while all reports still passed through the captain to the Admiralty, the advice of an experienced senior clergyman in such a position might both be of great use to the chaplains generally, and he might suggest to the Admiralty many useful regulations for the improvement of the social and religious condition of the sailors.—Believe me, yours truly, A. C. LONDON."

He (Sir Harry Verney) had also a letter from the Chaplain General of the army, who stated that in his opinion a naval Chaplain General, so far from impeding the discipline of the navy, would help to establish it by seeing and conversing with the candidates for chaplaincies on board ship, and recommending such as he might see reason to approve of. He would be the adviser of the Admiralty on many points, and would assist in drawing up rules such as the chaplains required; and he could determine the post to which a particular chaplain was fitted, whether to a large or small vessel, or hospital ship, or hospital ashore. The benefit resulting to the service from the appointment would, he considered, be immense. He (Sir Harry Verney) could easily multiply authorities in favour of the proposed change; but it was not necessary to do so. He was unwilling to refer to cases in which the want of a Chaplain General had been felt; but naval men were aware that there had been many instances in which chaplains had acted injudiciously, who, if there had been a Chaplain General of the navy, would never have been appointed, or might, under his advice, have avoided the mistakes which they had committed. Chaplains were now recommended for their appointments by the private secretary of the First Lord of the Admiralty, an officer who could hardly be considered an appropriate person either to select chaplains, or to designate the particular stations to which they should be assigned. He could not overlook the circumstance that under the administration of the Duke of Somerset and through the exertions of his hon. Friend the Member for Bedford (Mr. Whitbread) and the late Admiral Pelham, important measures had been adopted for increasing the efficiency of chaplains in the navy; but still much remained to be done. He did not intend to propose any Motion, because he thought that it would be better that the appointment of a Chaplain General should come from the Department than as the result of a Resolution of that House; but, considering the example which might be set, or the mischief which might be wrought by our navy in distant parts of the world, he hoped to elicit such an expression of opinion from that House as would induce the Admiralty to adopt the course which he was now recommending.

MR. HANBURY-TRACY said, that there could be no question that a necessity existed for some great alteration in our existing system, in order that the chaplains of the navy, instead of being comparatively useless, might be made the willing instruments of elevating the tone of instruction, both religious and secular, making the seamen comfortable while afloat, and so rendering the navy a happy and contented service. The chaplains of the navy stood alone in our services as a solitary instance of a body without a head. He did not deny that the great majority of the chaplains did their duty as far as they could; but, in consequence of the absence of anything like organization, they were unable to effect all the good which might result from their efforts under a better system. They had no one to advise them, or with whom they might take counsel. There was no central authority with which they could communicate, nor had they any means of adopting a united action by means of which instruction both religious and secular might be administered in a uniform manner. What was required was a Chaplain General who would give positive detailed instructions, without which in a great militarily constituted service the most zealous efforts of a chaplain were unavailing. This would release the zealous man from the restraints which now beset him, and enable him to carry out the work he was willing to perform, while, on the other hand, it would oblige the lukewarm and indifferent either to do his duty or give up his appointment. The Admiralty had from time to time shown a consciousness of the weakness and folly of the existing system, and had made some feeble but abortive efforts to cure the defect. In 1827 an order directed chaplains to communicate direct to Dr. Cole (senior chaplain of Greenwich Hospital) on all matters connected with their sacred duties, but this order had fallen into abeyance. In 1859 the Admiralty appointed Mr. Goldmay Chaplain to the Fleet, and in 1861 conferred on him the additional title of "Head of the Chaplains," but this, instead of being a step in the right direction, had turned out a mere delusion, for when chaplains consulted him on various matters they found that he had only the name of a head and no authority to help them in anything. The officials at the Admiralty who were chiefly connected with the chaplains were the Civil Lord and the private secretary of the First Lord, who, among the numerous and varied duties they had to perform, took charge of the appointments and other matters relating to that body. But, was it not impossible that officials who were constantly being changed, and whose time must be chiefly taken up in other duties, could have that knowledge of the various chaplains that would enable them to make judicious appointments? The consequence was, what might naturally be expected, that these appointments were often very badly made; young and inexperienced men were sent to the most important posts without reference to their qualifications. The system was unjust to the chaplains, unjust to the navy, and unjust to the country at large. What was much wanted was the introduction into the navy of a system of religious instruction on the one hand, and of secular instruction combined with amusement on the other hand; in fact, to follow out afloat the principle on which mechanics' institutes and other associations of a similar nature had been founded in all our large towns, and which had for many years been introduced into the sister service, the army. In this respect, as in many other, the navy was many years behind the army, and no steps were being taken to remedy the defect. In former times it was too much the custom to regard a sailor as a mere brute beast; now, however, people were beginning to see that he was becoming more and more a skilled mechanic, but, notwithstanding, far too little attention had been paid to him as a moral and intellectual being. If, in every ship a place was set apart in which men might go and read and be tolerably quiet, they would soon have, as a consequence, the navy more popular, and an immense decrease of crime. He knew as a fact that in ships lying in harbour and in depôt ships many unmarried men went ashore simply because they did not know what to do if they remained on board, unless to smoke or go to sleep, and they would prefer stopping on board if they had a place to go to where they might read or enjoy some rational amusement. There could not be the slightest reason why in every ship, after evening quarters, a place should not be screened off into divisions—one for the chaplain for religious purposes, another for lectures, another for reading, and another for games. It would, no doubt, be asked how could all this be managed, and who was to superintend it. His answer was—there was a body of officers now comparatively useless, but who might soon be formed into the most perfect machinery. He meant the chaplains, who, under an efficient head, would soon be able to work out this reform, which would be one of the greatest ever made in the navy. It was to the chaplain, supported by the captain, they must look as the prime mover in all plans for the instruction of the seamen, but it was only under the superintendence of a Chaplain General that this could be carried out. It was my good fortune to have sailed for five years with a man who was always the foremost in everything that could conduce to the welfare of the bluejacket, one to whom I always look back as the beau ideal of a naval chaplain. No games were ever set on foot but he took a prominent part, no lectures but when he started them, and in instruction of all kinds he took an active part. The want of a head of that Department, with well defined detailed instructions, caused some unpleasant disputes, but, on the whole, in no ship do I think instruction could have been carried on better under existing circumstances, nor was there ever a ship in which both officers and men look back to, as one in which the chaplain was the friend and adviser of all on board. But, Sir, is the case often? Alas! I regret to say it is not. In many ships captains prevent the good effect which might result from a zealous chaplain, and in others men are not up to their work. I think that in the navy generally, the chaplain is too often regarded as a useless individual, and one that might easily be dispensed with. So little in some ships are chaplains regarded, that prayer and other religious meetings are constantly held, not with the sanction and authority of the chaplain, but often in direct defiance of him. Officers feeling the great want of religious teaching, set themselves up to do that which is the duty of the chaplain, and hold meetings of every style and character which the individual may select. In a large military organized body where each person is supposed to have his allotted task, it is most essential to discipline that that organization should be carried out, and not that officers should be allowed to interfere with one another's duty. You will invariably find that when executive officers take upon themselves the neglected duties of a chaplain, a large number of the men become time-servers, tale-tells and hypocrites. A chaplain on first joining a ship, may be, and often is, a most zealous man, who strives hard for two or three years to do his duty, but at last finding how impossible it is to make headway against all the difficulties which surround him, gradually loses heart and having no one to whom he can refer for counsel and advice, at the end of four or five years becomes a mere cipher on board, looking earnestly forward to the day when he will be able to claim his pension and retire from a service in which he is obliged to live in enforced idleness. I know the noble Lord will say that this appointment is not wanted, and would interfere with the discipline of the service, but how its effect can be other than beneficial is more than I can conceive. A young and inexperienced man is far more likely to go against discipline when he himself has no spiritual superior, and therefore feels that he stands alone, than if he was subordinate to some regularly appointed head, from whom he might derive both counsel and advice. I am sure the hon. Member for Wakefield will join with me in saying that instead of weakening discipline it would tend greatly to promote it. A Chaplain General would be the servant of the Admiralty, and would there correct any infringement amongst his class whilst at the same time he would instruct them properly in their various duties. He would fill the same office as a Director General does to the Medical Department. I must in justice to the Admiralty say that during the last few years, and especially whilst the hon. Member for Bedford (Mr. Whitbread) was at the Admiralty, they have made great alterations, and in many respects improvements, in the condition of the seamen. I do sincerely trust that they will go a little further and add another boon to the comfort and well-being of the men by the appointment of a Chaplain General.

SIR JOHN HAY trusted that his noble Friend (Lord Clarence Paget) or the hon. Member for Pontefract (Mr. Childers), who he believed might be regarded as Admiralty Bishop, would give some information upon this subject at a future period. He quite concurred in what had fallen from both the hon. Baronet and the hon. Member who had last spoken as to the importance of having a Chaplain General. He had the greatest possible respect for his hon. Friend the Member for Pontefract except in his episcopal character, and he could assure him that he would find the greatest relief in the discharge from his episcopal duties if a Chaplain General, or some such person with whom the naval chaplains could communicate for advice and assistance, were placed at the Board.

DOCKYARD ACCOUNTS.

OBSERVATIONS.

MR. SEELY, in calling the attention of the House to the apparently excessive cost of fitting out, refitting, and repairing certain of Her Majesty's Ships, and to other items in the Dockyard Accounts that appear to require explanation, said, the object he had in view in bringing this question before the House, was that it appeared to him, from a Return he held in his hand headed "Navy Ships," printed in July, 1864, that the cost of repairing certain vessels, the names of which he had furnished to his hon. Friend to enable him to investigate the matter, had clearly exceeded the sum for which they might have been bought, if new. If his hon. Friend could not contradict that statement, he clearly owed to the House and to the country an explanation of the circumstance. The name of the first vessel to which he would draw their attention was the *Falcon* of 17 guns, 751 tons burdén, and 100-horse power. The cost of building that ship, if it had been bought by contract, would not have been more than £24 per ton; but, in order that he might be quite within the mark, he took the cost of the new vessels —complete with masts, rigging, &c. — to be £28 per ton, and the price of the engines he took at £55 per horse power—rather more than the Government would be willing to pay for them. Calculating upon that scale, he found that the *Falcon* would cost when new £26,528, being £21,028 for the vessel, and £5,500 for her engines; whereas she cost in repairs in 1863-4 £26,642, being £23,000 for the vessel complete, and £3,642 for her engines. The *Lyra* of 17 guns, 488 tons, and 60-horse power, which might have been bought new at the same rate as the *Falcon*, for £16,964, cost for repairs in 1863-4, £17,653 ; the hull, rigging, &c., costing £15,000 for repairs, when it might have been bought new, at the same rate as the *Falcon*, for £13,664. The *Wasp*, of 13 guns, 974 tons, and 100-horse power, which would have cost new £32,772, cost for repairs in 1863-4, £32,002 ; and in 1860-1, £8,483; and credits returned being in 1862-3, £15; and in 1861-2, £1,451; making a net total of repairs, &c., to the *Wasp*, from 1860 to 1864, of £38,919. The next vessel he would call their attention to was the *Sharpshooter*, of 6 guns, 503 tons, and 102-horse power, which might have been bought new, at the same rate, for £19,694, and cost in repairs in 1863-4, £18,249. There was a statement with regard to this vessel that he could hardly understand, for it was stated that in that year her engines, which, if new, would have cost £5,610, had actually cost £9,249 for repairs. The *Salamander*, of 6 guns, 818 tons, and 220-horse power, would have cost new, at the same rate, £34,004; cost for repairs in 1863-4 £26,078, and in 1862-3, £10,950—making a total in two years of £33,628. [Sir JOHN PAKINGTON inquired the age of the vessels referred to by the hon. Member.] He only knew that the *Wasp* was built in 1850, and believed that the *Falcon* was built in 1854, but the hon. Member for Pontefract (Mr. Childers) would doubtless give them information upon that subject. The *Bulldog*, of 6 guns, 1,124 tons, and 500-horse power, which would have cost when new £58,972, cost for repairs in 1863-4, £33,700 ; in 1861-2, £2,092 ; and in 1860-1 £10,518 ; returns to be credited being in 1862-3, £2,317 ; making a net total spent in repairs, &c., upon the *Bulldog*, from 1860 to 1864, of £43,993. In calculating the repairs many items had been omitted. For example, the wages of the artificers were charged, but not their pensions, though it was well known that their wages were less owing to their receipt of pensions. For this reason some allowance should be made for pensions, especially as in this year's Estimates there was no less than £84,556 proposed to be voted for pensions to artificers. In the Navy Estimates there would also be found sums for the wages of foremen and others in dockyards, and these amounts were not included in the cost of shipbuilding and repairing ; and therefore when they estimated the cost from these accounts, it should be borne in mind that they did not get the whole cost, but only a part. He had brought forward these points in order to press upon the Admiralty the necessity of giving true and faithful statements of what things did cost. Some days ago he told his hon. Friend the Returns to which he should allude, and the drift of the observations he should make, in order that any reply might be made of which the subject was susceptible, his only object in all this being to elicit the truth. The next subject to which he wished to direct attention, was the Return issued last Session for 1862-3, purporting to show the cost of converting timber in Her Majesty's dockyards. The Return was headed "Dockyards and Steam Factories," and it was printed on the 1st of July, 1864. In this Return it was stated that the excess cost of produce over rate-book value was only about 4½ per cent, and considering that the whole amount was a million and a half, they did not think there was much to find fault with. Instead, however, of the conversions of timber being executed at 4½ per cent only above the rate-book, he found they were something like 15 per cent above it. The following abstract showed the cost and rate-book value of the timber conversions:—

	Cost of actual timber conversions.	Rate-book value of actual conversions.	Cost more than rate-book value.	Per centage cost above rate-book value per cent.
Deptford	£27,426	£27,146	£380	1¼ to 1½
Woolwich	35,655	31,685	2,970	8½
Chatham	41,920	36,399	5,521	13
Sheerness	17,381	15,992	1,389	8
Portsmouth	69,619	61,220	8,399	13
Devonport	34,488	28,761	5,727	22
Pembroke	41,492	30,752	10,740	35
Total	£266,981	£231,855	£35,126	15¼

This was a difference altogether of £35,126 in excess of the rate-book; but if all the conversions of timber in the different dockyards in 1862-3 had been made at the lowest yard rates the country would have saved on English oak conversions £9,360; Italian and other oaks, £4,594; teak, £21,543; mahogany, £3,362; substitutes for oak, £3,200; English elm, £5,078; Canada elm, £542; firs, £4,781; and mast timber, £3,036, or a total saving of £55,496. His hon. Friend (Mr. Childers) might say that the reason for this difference between different yards was that they had not the same appliances and machinery at one yard as another. But why had they not? In five years the Admiralty had obtained for new works, improvements, and machinery £2,782,910, and why was not a portion of this large sum spent in providing machinery which would have saved upwards of £55,000 in one year in the single item of timber conversions? The next point to which he wished to call attention was, he confessed, a rather difficult subject to deal with. There was an account published, headed "Navy Ships," and that account showed, or purported to show, the expenses incurred on Her Majesty's ships in building, repairing, and converting, in the years 1860 and 1861. It stated that under Votes 8, 9, and 10, there was a sum of £4,276,382 voted for these purposes, and that in that year there was under fifteen heads £4,017,780 spent in building and repairing Her Majesty's ships, and at the foot of the account was appended this note—

> "It may be proper to remark that timber, copper, and other materials, purchased in one year, may not be expended for many years, and therefore the aggregate expenses incurred under the above fifteen heads may, in any one year, greatly exceed or fall short of the aggregate amount of money voted under Votes 8, 9, 10; in other words, these two sums ought not to balance, unless the value of materials in store at the commencement and at the end of the year happened to be the same, and this can never be ascertained without the costly and laborious process of taking stock."

From these accounts the natural inference was that, as £4,276,382 was voted and £4,017,780 expended, a sum of £258,602 had been added to stock. But it so happened that the sums voted did not correspond with the sums received by the Admiralty. The sum received was £4,424,243, and the sum expended was actually £4,017,780; so that there ought to have been, according to their own principle, £406,463 added to stock in that one year. He had examined the accounts for the next three years, and he found that, according to the same principle of calculation, there ought to have been added to stock in the first year £802,321, in the following year £672,222, and in the third year £381,274. Consequently, in the four years there ought to have been added to stock no less than £2,262,281. He might further mention that from the year 1848 to the year 1858 there was added to stock, according to the account of the Admiralty, no less than £1,500,000. The noble Lord (Lord Clarence Paget), in a statement he once made said, he believed that £500,000 had been added to stock in those ten years, but the Admiralty put forward a different statement and said the amount was a million and a half. He, therefore, came to this conclusion, that from 1848 to 1864 there was no less than £3,762,281 added to stock, according to their own accounts and according to their own principles, as put forward in the note which he had read. They naturally asked where this stock was. He believed his hon. Friend would say that the stock in hand was something about five millions. But could anyone accustomed to business suppose that in 1848 there was anything like so small an amount of stock as a million and a quarter; and if there was more in that year, what had they to show for these figures? Perhaps his hon. Friend (Mr. Childers) would be able to show that he (Mr. Seely) was in error; but if not he hoped his hon. Friend would try to carry out what was recommended to-night, and by the noble Lord the Secretary to the Admiralty before the Commission, for he thought the House would agree that this state of things was most unsatisfactory, and ought to be very speedily put an end to. Complaints had been made with respect to Admiralty mismanagement year after year, and last Session the hon. Member for Rochdale called the attention of the House to the subject; but of all the advocates of reform in the Admiralty none had spoken more clearly and distinctly than the noble Lord the Secretary to the Admiralty as to the necessity of amendment in these matters. The noble Lord showed by the evidence he gave before the Royal Commission that no one had a clearer conception than himself of what was needed in this matter. The noble Lord stated before the Commission that the present state of accounts was most unsatisfactory; that it was exceedingly desirable that the House should be informed what money was received and how it was expended; that in order that this might be done there should be a valuation of stock at the commencement of the year; that the value of all stores obtained during the year should be added to that; and that there should be deducted all the stores used in building and repairing ships during the year. Such was the opinion of the noble Lord in 1860, but now, in 1865, what progress had been made to that desirable result? There was yet no clear creditor and debtor account, showing the balance, and, to use a nautical phrase, they were "all still at sea." He had no doubt that his noble Friend would say that the question was a difficult one; but if he had acted on his convictions and given orders to any professional accountant the way in which the money was expended would have been explained. But the noble Lord needed not to have gone to any professional accountant, for his own accountant at the Admiralty, Sir Richard Bromley, might have prepared the account. Any one perusing the evidence of Sir Richard Bromley would see that he had a clear conception of what was wanted, that he was almost worried to death by contradictory orders from the Lords of the Admiralty. Sir Richard Bromley said he had been working twelve or fourteen hours a day, until at length his health gave way. That first one person and then another found fault with what he was doing, and that it was this which took so much out of a man and stopped progress. He also said that the public auditors under the present system were unable to watch the public expenditure. There could be no doubt that the root of the evil was in the system. There were too many masters and governors. The Lords of the Admiralty were continually being changed. Sir Richard Bromley said there had been ninety-seven Lords and Secretaries of the Admiralty since 1829. Imagine any private concern changing its management at the rate of nearly three a year. Any private firm, even if it were as rich as the firms of Rothschild and Baring, would, were it conducted on the same principle, soon find its way into the *Gazette*. He was, of course, aware that the Lords of the Admiralty could not get into a state of bankruptcy, because if they wasted one million of money they had only to go to their colleague, the Chancellor of the Exchequer, and ask for another million. He only regretted they were not obliged to put down in two columns what was absolutely necessary and what was spent unnecessarily. It was the duty of the Members of that House, as the representatives of the people, to watch this expenditure. He believed the root of the evil was the system of government by a "Board." It was the opinion of the Commission and of men most competent to form a judgment on the subject, that the present state of things should not be allowed to go on. By inference he had a right to assume that Sir Richard Bromley was of that opinion, because in his evidence he said there was no individual responsibility; and he certainly might range on his side Sir Baldwin Walker, who had distinctly stated before the Commission that the Government by a Board was a bad mode of government, and was rendered worse in consequence of frequent changes. He did not deny that the present system might produce improved accounts, or that the accounts given now were not better than they were a few years ago. He should not have been able four years ago to have pointed out these discrepancies. But though a Board might, by means of better accounts, be able to show that things cost more than they ought, yet from its very nature it would not be able to give them things at a fair cost. Not one of the Lords of the Admiralty—he said it with all deference—knew what a thing ought to cost; and the same remark applied to the superintendents at our different dockyards, of whom also he wished to speak with all possible respect, for they had shown themselves anxious to afford every information to Members of that House and the public at large. In their place, as commanders of vessels, the superintendents were excellent officers. All he wished to impress upon the House was that there was such a thing as fitness. Why, the Chancellor of the Exchequer himself, with all his vast abilities, if put at the head of one of these manufacturing establishments would be completely out of place. What was wanted was fitness in the various offices; but as long as they went on looking simply for political patronage, without selecting the men best qualified to discharge the duties intrusted to them, they must continue to have these conversions of timber executed at a much higher rate than was necessary, their ships repaired at an excessive cost, and accounts as defective as those he had referred to, continue to be laid before the House.

MR. CHILDERS said, that before he followed his hon. Friend through the very interesting and in many respects very useful statement he had just made to the House, he wished to answer the remarks which had been made by previous speakers on the subject of naval chaplains. And at the outset he felt bound entirely to disclaim certain episcopal functions which the hon. and gallant Member for Wakefield (Sir John Hay) had attributed to him. He had nothing to do with either the appointment or the discipline of the chaplains afloat, and his duties in connection with them were confined to cognizance of, and suggestions relating to, their educational functions. As he understood the suggestion of the hon. Baronet and those who supported him, it was that in the present state of naval affairs there should be at head-quarters a clergyman in the position of Chaplain General, with whom the chaplains of the navy should be in special relations. It was said that such a Chaplain General would be able to select clergymen for the position of chaplains ; and, still more, that he would be able to select them for particular ships, knowing those who would be best suited for one class of ships and those who would be best suited for another. Moreover, it was said that, from that Chaplain General naval chaplains were to look for counsel and instruction as to the way in which they should carry out their duties on board ship. Now, he thought the House should pause before it advocated the creation of a new office of that kind. What was the position of the chaplain of a ship ? He took it that, in the first instance, he was intended to be the friend and adviser of every one on board. To him all in the vessel looked for counsel. His special relation to the captain was of the greatest value ; as by their common action much good would be gained in all matters in which the religious and educational interests of the seamen were involved. But he believed he should have with him the opinion of a great many of the naval chaplains—for he knew that many of their body did not concur in the proposal to appoint a Chaplain General—that if the chaplain, instead of being in that independent position as the friend and adviser of all on board, were made a mere subordinate in a chaplain's department, and tied down by rules prescribed for him by a Chaplain General, a great deal of his usefulness would be lost. Both his hon. Friends who had spoken on the subject had pointed out the great advantages which the chaplain could confer on the officers and crew of a ship, and they had given special cases in which his advice and friendship had been of the greatest possible benefit. Experience, therefore, showed how valuable an influence a naval chaplain derived from his present position, and how useful he was able to be with respect to the religious and educational advancement of the seamen, without at all changing his proper relations with the Admiralty. The appointment of a Chaplain General he believed was unnecessary, and there were reasons patent to all which, bearing in mind the freedom of opinion in the Church of England, made it inexpedient that all the naval chaplains should be selected by, and subordinate to, one clergyman in the position of a Chaplain General. In matters of education the Admiralty had already the advantage of the advice of the Director of Education in regulating the educational functions of the chaplains. He hoped, therefore, that the House would hesitate to sanction a proposition which would be attended with very serious danger and inconvenience. He now came to the question raised by the hon. Member for Lincoln (Mr. Seely), and he admitted that that hon. Gentleman had given his noble Friend (Lord Clarence Paget) and himself a general idea of the matter to which he intended to draw the attention of the House, although he was not prepared in all respects to criticize the figures he had stated. The hon. Member in the first place took the Return laid on the table at the end of last Session, giving an account of the expenses incurred for ships building, repairing, and converting in the financial year 1863-4; and, speaking of certain expenditure incurred for particular ships, he asked the House whether it was not a mistake to spend so much money on their repair in that year, in addition to what had been spent in previous years. Now, not having been aware that the hon. Gentleman would refer to the previous expenditure on these ships, he was not in a position to answer him off-hand as to that expenditure. But the hon. Member had stated, with respect to the account for 1863-4, that the general expenditure of the Admiralty in building the hull of ships of the same class would be £28 a ton, and he gave certain instances in which apparently a sum as great, or greater, than that had been expended during that year. But let him call attention to the Return itself, and compare what the hon. Member had said was the tonnage expenditure on the repairs of the hulls of these ships with the real tonnage expenditure on building similar ships, as shown by these accounts? If his hon. Friend referred to a subsequent page of the Return he would see that the average tonnage cost in building ships of the class quoted was about £28 for the hull only. The hon. Gentleman took the case of the *Falcon*, and said the expenditure upon it was out of all proportion to what it ought to have been on a ship of that kind. Now, according to the Return, the expenditure in 1863-4 upon the hull of the *Falcon*, in round numbers, was £14,000; but in addition to that, there was a certain proportion of the incidental expenses charged on the whole ship. Taking a fair proportion of those charges, he found the total expenditure upon the hull to be something between £15,000 and £16,000. The hon. Gentleman did not seem to be aware that the Return which he quoted included, not only expenditure on the hull, but other items—such as rigging, masts, engineers' stores, and repairs of machinery. Under the head of the *Falcon*, rigging and stores cost between £5,000 and £6,000, so that the repairs of the hull only came to £21 or £22 per ton, instead of £28 or £29 per ton. That was the extreme case adduced. The case of the *Bulldog* had also been mentioned. That was a vessel of 1,124 tons, and the expenditure on her hull was stated at £13,600. Allowing £2,000 for the proportion of incidental expenses, the total would be only £15,600, which was very far from being the amount stated by the hon. Gentleman. The *Salamander* had been quoted. The expense on her hull was about £8,500, in addition to her proportion for incidental expenditure. The *Salamander* was 813 tons, which gave only £11 per ton; while the expenditure for rigging and stores was no less than £4,000, besides expenditure on her machinery. These were a few of the cases—six or seven had been quoted, and it would be easy to show with regard to the others that his hon. Friend had included in the expense of repairing the hulls of these ships what did not at all belong to hull repairs. But his hon. Friend asked why we in 1863 spent so large a sum in repairing ships of that class. They were wanted, and existing ships of that class must either be repaired or new ships of the same class must be built. If new ships were built, it would have been necessary to wait nine or twelve months over the time requisite for repairing the existing ships; and therefore, in the view of the Board of Admiralty, it was more economical to repair those ships at an average of £10 or £12 per ton than to build others of the same class at an expense of £28 or £30 per ton. His hon. Friend appeared also to forget that at the time referred to the whole available expenditure of the Admiralty was applied to building large iron ships, and it was considered unwise to diminish these exertions, and apply the means at their disposal to increasing the force of small wooden ships. His hon. Friend referred to another point. He stated that the comparison as regarded timber in the dockyard accounts showed extraordinary variations, and he especially referred to the high rate at which the conversions at Pembroke came out. He had not had the opportunity of seeing beforehand the figures quoted by his hon. Friend, but although he made some mystery about them, they were apparently easily deduced from what appeared on the face of the Returns. It was very difficult, in the conversion of timber, to arrive at uniformity of rate in different shipbuilding yards. The rate-book gave in respect to timber conversion one uniform rate; but there were certain elements of variation, which could not, under any system, be obviated, and which tended to produce discrepancies. It was the duty of the Department to grapple with these discrepancies as much as possible, and he hoped that in future they would do so in a far greater degree than they had done before. It could not be contended that we should have only one yard, because of the difficulty of adjusting rates. Some dockyards were in neighbourhoods where timber was cheap and coal and iron dear; others where coal and iron were cheap and timber dear.

To argue that excess in one particular operation being expensive was conclusive against a dockyard, in other respects economically managed, would be absurd. But what were the actual facts as to timber? It is necessary to consider in the first place what kind of work is done at the particular yard, and consequently what denomination of timber would be wanted. Thus, the contract price of English oak used at Devonport was £8 19*s.*; at Portsmouth, £7 12*s.*; and at Sheerness, £6 15*s.* Again, it was necessary to compare the percentage of returns into store, and of offal. As all labour charges fell on the conversion, the larger the returns might be, the greater apparently would be the price of the manufactured article. With respect, however, to the rate-book, there had been handed down certain rules with respect to the different classes of conversion of timber, some of which were very arbitrary, and it had been determined to wipe them away and constitute with respect to timber of the same class uniform rates per cubic foot, instead of having variations amounting, in some cases, to 40 or 50 per cent. There were, again, certain charges, such as those for the stacking of timber strictly belonging to the yard, which would not in future fall upon the conversion, but equally upon all the outlay of the yard, that being evidently the right principle. The effect of the changes would be to put the manufacturing accounts for the conversion of timber on a more satisfactory footing. But it was not intended to have different rate-books for the various establishments. He now passed from that exceedingly dull subject to a comparatively simple one. His hon. Friend had compared the finance accounts of certain years with the expense accounts; and especially Votes 8, 9 and 10, showing the amount of labour and materials supplied to ships building, repairing, or receiving stores during the year, and had pointed out that the two sums did not balance. Of course they did not; but if the causes of the difference were considered, it would be found that the reconciliation was not so difficult as his hon. Friend had supposed. In one respect he was not in a position to answer his hon. Friend. He was not aware that he was going to refer back to 1848, otherwise he might have been prepared to allude to the accounts of the last sixteen years; but as to the expenditure of the last two or three years the facts were clear. The finance account showed a considerable excess over the expense account; that was to say, they had purchased during those years vastly more stores than they had applied to the building and repairing of ships. It was, however, impossible to balance the two accounts exactly. Until the present year there had never been a valuation of stock, and it had been impossible to say that in 1860 the value of the stock was so much, that in 1861 it was so much, and that the difference between the two was the difference between the finance and the expense accounts. He had, however, looked into the difference between the quantities of stock in those periods, and found that in respect of some articles, not including iron, there was an excess at the later date of between eleven and twelve hundred thousand pounds, no small proportion of the supposed discrepancy of his hon. Friend. It was also necessary to eliminate more carefully the item of coal of which £1,500,000 had been supplied to the fleet; and there were also the stores sent abroad, for which allowance should be made. His hon. Friend had inquired why they could not produce an account with respect to stock similar to that which any business man would produce. His hon. Friend did not seem to be aware that that was one of the points in which a change had been made this year. It was decided from the beginning of last year a stock account should be taken, and should be continued in future years, thus affording the means of producing a proper balance-sheet from year to year; and when the House came to consider the Estimates he would explain in what way the dockyard accounts would in future be kept, so that they would not only have an account of the expenditure on each ship, but be able to show at the end of the year a strictly commercial balance-sheet. The House would then be enabled to understand the business done in the dockyards as well as if it were done by a private company or firm, and might put their finger on any particular item and elicit information, which would not only be a great advantage to the House, but conduce to the economical management of the dockyards.

TREATMENT OF PRISONERS IN NEWGATE.—OBSERVATIONS.

MR. LOCKE rose to call the attention of the House to the manner in which prisoners are detained in Newgate whilst under remand, and to ask the Secretary of State for the Home Department whether he proposes taking any steps to obtain their better treatment. He thought sufficient consideration had not hitherto been given to the treatment of individuals under such circumstances. The well-known principle of English law was that until a man was found guilty he was presumed to be innocent. Now, in the case to which he wished to call the attention of the House two gentlemen — the Messrs Barry — were charged with conspiracy to defraud certain insurance offices, and three others were charged with larceny. The charge was made a month ago, and the parties had been remanded week after week, the alderman not thinking it right to allow them to go at large. He did not wish to make any charge against the alderman, or to prejudge the case in any way. His charge was against the authortities of the City of London for the mode in which they conducted the prison of Newgate. These persons had to clean out their own cells; they were not permitted to see their friends except through an iron grating, and in the presence of the goaler; they were not allowed the use of a knife and fork; they were, in point of fact, made domestic servants in a place where they ought not to be treated as criminals, but were simply remanded for further inquiry. Now, under whose direction was the gaol of Newgate? In the Report of the Commission of 1864, it was stated that the Court of Aldermen were constituted a court of quarter sessions for prison purposes under the statute 4 *Geo.* IV. c. 64. The Court of Aldermen sat upon these cases of prison discipline under different circumstance to the court of quarter sessions, as the latter sat with open doors. Captain W. J. Williams, in his evidence before the Commissioners, Question 2369, said that he thought this power ought never to have been given to the City of London. The Court of Aldermen have the power, which they sometimes exercise, of excluding strangers. He did not accuse them of framing rules worse than those which existed in other parts of the country. The House had given every attention to the welfare of men undergoing punishment; but, with regard to persons placed in prison simply on the ground of detention, for the purpose of being brought up again to have their cases properly investigated, he was not aware that any consideration had ever been given. And what was the consequence? They found in the City of London, and in a majority of other places throughout the kingdom, that these persons were compelled to clean out their cells and to perform every menial office, as these two gentlemen in Newgate were compelled to do, although no crime whatever had been brought home to them. When they were brought up last time—namely, on that day week, before Mr. Alderman Stone, Mr. Serjeant Ballantine, who appeared for the defendants, applied to the magistrates to admit them to bail. He stated—

> "That his clients who might easily have evaded this inquiry during the earlier stages of the proceedings, did not do so, but were to be found every day at their houses or pursuing their usual avocations, and had themselves courted inquiry; but since their apprehension they had been deprived of their liberty without the option of giving bail. The learned gentleman said he should not be so urgent if he had not found that the prisoners were subjected to all the pains and punishments of convicted felons."

Sir GEORGE GREY: That is not true.

Mr. LOCKE: But the counsel for the prosecution did not deny the truth on that occasion, and it was not gainsaid by the alderman on the bench. If the right hon. Gentleman had received information different to that, it was different to what the alderman admitted. Indeed, the alderman said that it was the Home Secretary's fault. He attributed to the right hon. Gentleman all the evils chargeable upon the management of the gaol of Newgate; and certainly put the right hon. Gentleman on his defence. Mr. Serjeant Ballantine said—

> "That his clients were deprived of the common necessaries of life, and had every menial office to perform in their cells; they were not allowed to hold communication with their families, except in the presence of a warder. Such prison regulations, he said, were a disgrace to a civilized community, and that if he had heard of such things taking place in continental prisons, they would be denounced as insupportable tyranny. His clients were prepared with any amount of bail, and their liberation could by no possibility be injurious to the ends of public justice."

The learned counsel's opinions were endorsed by the cheers of the public in the court, and no wonder. Mr. Giffard, who appeared for the prosecution, said "he was sorry to hear that the prisoners were treated in the manner represented," and thus endorsed the statement of Mr. Serjeant Ballantine; but Mr. Alderman Stone spoke in stronger terms still. He said he was sorry to hear the prison regulations were as they had been described, but those matters were in the province of the Home Secretary, and not in that of the City magistrates, and it was in Parliament only that a remedy was to be found. The right hon. Baronet said the other night that if these persons were illegally imprisoned they had their remedy; but it now appeared, from what Mr. Alderman Stone had said, that it was not the fault of the City authorities, but of the right hon. Baronet. He would therefore ask whether it was intended to allow persons remanded, and not found guilty of any offence, to be treated as convicted felons or even worse. Since he (Mr. Locke) had put this notice on the paper he had received communications from other places, and one from the Isle of Wight said that what was done in Newgate was nothing near so bad as what was done there, and instances were given. All, therefore, that he (Mr. Locke) now wished to do was to ask the right hon. Gentleman whether he was aware of the mode in which these things were done throughout the country, as by his office he had the official *surveillance* of these matters. He would also ask, as the right hon. Gentleman had a Bill before the House with respect to convicts, whether he would introduce into it a clause to remedy this disgraceful state of things in Newgate and elsewhere?

Mr. TORRENS said, that the case of Newgate was not an isolated one. Similar circumstances had come under his notice. It was not long ago a man named Holl and his wife were taken into custody on a charge of illegally pawning. They were brought a considerable distance in a soaking rain, and were locked up all night in their wet clothes, having been refused the privilege of sending for dry clothing. In the morning some little show of mercy was made by the persons in charge of the station by turning hot air into the cell, but the poor man exclaimed, "It is too late; the treatment I have received this night has done for me," and he died in twelve hours. An inquest was held, and the jury returned as a verdict, "Died of bronchitis, accelerated by the treatment he had received before being found guilty in the station." The coroner said—

> "He quite agreed with the verdict; that it was not the first time such treatment had come under his notice; that shortly before a similar case had happened at the Marlborough Street station, and that he had made a report of it to the Home Office, and expressed a hope that the right hon. Gentleman would take steps to do away with the great cruelty to which people under remand were now subjected."

Sir GEORGE GREY said, if the hon. Gentleman (Mr. Torrens) had given him notice that he intended to mention any specific case he would have been prepared with the answer which no doubt could be given. With regard to the hon. Member for Southwark it appeared he had made a double complaint—one as to the magistrate in the case not admitting the prisoner to bail—

Mr. LOCKE: I expressly said that I made no complaint of that.

Sir GEORGE GREY: Then he need say nothing as to that. After the answer he (Sir George Grey) gave to the hon. Member's question the other night, he should have thought it impossible for any one to assert that prisoners under remand were in a worse position and subject to greater hardships than prisoners convicted of crime. He (Sir George Grey) stated then that there was a distinction in favour of persons on remand or committed for trial, and that they had privileges allowed them which convicted criminals had not. He knew nothing of this case; he had had no complaints from any of these persons, or from any other person, in Newgate prison, of harsh treatment. If any such complaints had been made he should have addressed on the subject the only persons who by law were competent to deal with them — namely, the visiting justices — who, were the Court of Aldermen. Although, therefore, a single magistrate could not interfere, yet Mr. Alderman Stone might have brought the subject under the notice of his brother Aldermen. It was not the Secretary of State who was the only person who could interfere—the matter was in the hands of the visiting justices. He would only say that if the persons whom his hon. Friend on this occasion represented sent to him any statement of improper treatment they had received he would refer it to the visiting justices, and request them to report upon it.

Main Question put, and *agreed to.*

SUPPLY.

Supply *considered* in Committee.

House *resumed.*

Committee Report Progress; to sit again *To-morrow.*

COURTS OF JUSTICE BUILDING BILL.

[Bill 5.] THIRD READING.

Order for Third Reading read.

Sir FRANCIS GOLDSMID said, he had intended to have moved a Resolution somewhat analogous to that moved on a previous evening by the hon. Member for

Perth (Mr. Kinnaird), but that hon. Member's Motion having been disposed of, he did not think it would be right to renew a discussion upon the subject.

Bill read 3°, and *passed.*

COURT OF CHANCERY (IRELAND) (Nos. 2 & 3) BILLS—[*Mr. Whiteside.*]

[BILLS 25 & 38.] SECOND READING.

Order for Second Reading read.

THE ATTORNEY GENERAL said, that as these Bills were for the same objects as his own, he was prepared to assent to the second reading without discussion. As regarded their further progress, however, it would be impossible that his and these could proceed *pari passu,* and it would therefore only be natural to take the discussion on the next stage.

MR. WHITESIDE assented to this course, and fixed Thursday for the Committee.

Bills read 2°, and *committed* for *Thursday* next.

TAXATION OF IRELAND.

RE-APPOINTMENT OF SELECT COMMITTEE.

Select Committee *re-appointed,* "to consider the Taxation of Ireland, and how far it is in accordance with the Provisions of the Treaty of Union, or just in reference to the resource of the Country."—(*Colonel Dunne.*)

On the Motion of Sir STAFFORD NORTHCOTE, it was ordered—

"That it be an Instruction to the Committee to inquire into the system upon which advances are made and repayments required by the Imperial Government for drainage and other works of public utility in Ireland."

COLONIAL NAVAL DEFENCE.—LEAVE.

MR. CARDWELL, in moving for leave to introduce a Bill to enable Her Majesty's colonies to make better provision for maritime defence, said, that no subject had of late years attracted more attention than the development of the qualities of self-reliance in our colonies and the means of enabling them to make provision for their own defence, and so relieve this country from a part of a great burden which had pressed upon it in former times. Formerly chief attention had been paid to land defence, but it was evident that defence by sea was of far greater importance, and that subject had attracted considerable attention both at home and in the colonies. The first Parliamentary record of the wishes of the colony on this subject was to be found in the correspondence laid on the table when Sir William Denison was Governor of Sydney. The colony of Victoria had shown a great desire to make provision for its own defence in case of a sudden attack. The question of raising a colonial navy was not a simple one. If it was to be purely a colonial navy, it was obvious—First, that it would not have the rights and privileges of a national navy, or be clothed with the rights that belong to the maritime forces of Her Majesty, and consequently would not be acknowledged by foreign nations in time of war. Secondly, if there were to be a divided command, questions might arise between a colonial officer and the senior Queen's officer of the station which might lead to serious practical difficulties. Thirdly, it would not be easy to combine the forces of different colonies for a common object. The question had been considered by successive Governments in 1857 and 1858, and the conclusion they had come to was, that for local defence against a sudden incursion by sea a local force was the most natural; but that for general defence in a great foreign war, the defence of an Imperial navy was most effectual. From these conclusions he did not differ; the question was whether, though apparently antagonistic, they might not be reconciled. But up to this time nothing had been done on the subject. Since that time a considerable step had been taken in the maritime defence of this country. In consequence of the difficulty experienced in getting seamen in the Russian war, and again in 1858, when there was a great extension of our navy, a Commission was appointed to consider the subject of manning the navy, and the result was the establishment of the Royal Naval Reserve—a purely local force in time of peace, but becoming part of the Imperial Navy on the occurrence of an emergency. That experiment was most successful. The force numbered now 18,000 men, and three years ago, when there was a sudden alarm, the men flocked in not merely for the service for which they were engaged, but volunteered for service which their engagement never contemplated. In examining the conditions on which the force was to be constituted it was found that even the limitation of 100 leagues from the shore, to which the services of the Naval Coast Volunteers was confined, was a serious practical obstacle to its efficiency, and accordingly an arrangement was made by which, while the men in time of peace belonged to the merchant navy, in time of war they were to become to all intents and purposes sailors of Her Majesty's navy, and to be as available as the seamen of the Royal Navy. It appeared to the Government that there was no reason why the same principle which had been found so valuable at home should not be extended to our colonies possessing a maritime population, so that colonies like those of Australia and British North America might be able in time of peace to train their maritime population to the use of guns, subject to conditions like those of the Royal Naval Reserve, and that in time of war those trained seamen should be available, under the control of the Government of the colony, for all the purposes of maritime defence. Those colonies, especially Victoria, had expressed their readiness to raise such a force. In preparing this measure, he had had the advantage of the assistance of his noble Friend the Secretary to the Admiralty and of the Civil Lord of the Admiralty, who, having been connected with the colonies, was well aware of the measures which were likely to be acceptable to them. Accordingly, the main object of the Bill which he sought to introduce was to extend the principle of the Royal Naval Reserve to all the maritime colonies of the Empire. But the Bill would promote another object. One maritime colony—Victoria—had been desirous of having a Queen's ship of its own. It had a ship of its own; but that ship being merely under colonial authority possessed none of the rights, and, in presence of foreign nations, could have none of the privileges of a ship of war. Those rights and privileges could only be secured by putting the ship under the control of the Admiralty. The second purpose of the Bill was, therefore, to enable a colony either in time of peace or in time of war to place its ships under the control of the Admiralty. The object of the Bill was not only to enable a maritime colony, if it should so think fit, to take effective measures for its own protection at sea, but to enable several colonies to combine for mutual protection under the Admiralty—to enable all the colonies under the British Crown to be united in one body and to combine their ships so as to form, with the navy of this country, a naval defence for the whole of the British Empire. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

SIR WILLIAM MILES inquired whether the payment for a colonial ship was to be from the colony.

MR. CARDWELL replied that the Bill contemplated nothing which was not to be at the expense of the colony, at least in ordinary times.

Motion *agreed to.*

Bill to make better provision for the Naval Defence of the Colonies, *ordered* to be brought in by Mr. Secretary CARDWELL, Lord CLARENCE PAGET, Mr. CHICHESTER FORTESCUE, and Mr. CHILDERS.

House adjourned at Eleven o'clock.

HOUSE OF LORDS,

Friday, March 3, 1865.

MINUTES.]—PUBLIC BILLS—*First Reading*—Courts of Justice Building * (23).

Second Reading—Game Licences (Ireland) * (16); County Courts Equitable Jurisdiction (9) [H.L.]

Referred to Select Committee — County Courts Equitable Jurisdiction * (9).

Royal Assent — Civil Bill Courts Procedure (Ireland) Act (1864) Amendment * (16).

COUNTY COURTS EQUITABLE JURISDICTION BILL—(No. 9.)

SECOND READING.

Moved, That the Bill be now read 2^a.—(*The Lord Chancellor.*)

LORD ST. LEONARDS said, that when five years ago a Bill was introduced by the late Lord Chancellor (Lord Campbell), one of the objects of which was to give the courts of common law an equitable jurisdiction, he (Lord St. Leonards) took the liberty of pointing out to their Lordships several serious objections to it, and not the least among them was that the Judges to whom it was proposed to extend the jurisdiction were not a class of lawyers trained to deal with the questions that would come before them; and this he said without any impeachment of their learning, as the two branches of law were totally distinct. The second ground on which he objected to that Bill was that the common law courts had not the machinery necessary for working satisfactorily an equitable jurisdiction; and thirdly, that the Judges had not sufficient time to undertake, in addition to their present labours, the additional duties which would be devolved upon them. The Bill was referred to a Select Committee, which included, besides some eminent Members of their Lordships' House, all the Law Lords. They considered the Bill very carefully, the noble and learned Lord who had introduced it was obliged to consent to the striking out clause after clause, and the result was that when it came back to their Lordships from the Select Committee all the clauses which imparted an equitable jurisdiction to courts of law had been struck out. The noble and learned Lord in expressing his regret that the Committee should have struck out such most valuable clauses, expressed his hope that Parliament might before long be induced to adopt them. The noble and learned Lord, however, allowed the subject to drop, and nothing more was heard of it until the noble and learned Lord upon the Woolsack introduced his Bill last year, of which the present was a portion. The first objection he (Lord St. Leonards) had made to the original Bill applied with ten times the force to the present Bill, because their Lordships must be well aware that the County Court Judges must be incompetent as lawyers to deal with questions in equity. They had studied the law as Common Law lawyers, and were very well adapted for the positions they held; but very few of them had even in their lives practised in equity, and would not have ventured to give an opinion upon a case involving equity law, which they did not assume or pretend to understand. They had never been expected to exercise an equity jurisdiction, and they did not themselves ask for it; but the Bill would force this jurisdiction on a class of Judges who not only did not desire it, but who would, if asked for their opinion, pray to be delivered from it. The Judges were not to blame for wishing to avoid the novel jurisdiction, as when they accepted their offices they assumed functions they were well fitted to perform, and undertook no duties that they were not well capable of discharging; and he would venture to say that very few of them would have accepted the appointment if they had been expected to exercise a jurisdiction in equity. How, then, could they cast upon the County Court Judges new duties which they were unequal to perform, and which they had never undertaken? They were about to put their unholy hands upon £1,000,000 belonging to the Suitors' Fee Fund, and £500,000 from a Reserve Fund, not one single shilling of which they ought to touch, in order to build a Palace of Justice, into which the rich man would walk and demand at the hands of competent Judges, assisted by a competent Bar, a just decision upon his rights. But this Bill proposed that the poor man, with his little all of £300 or £500, should not approach this Palace of Justice in all its grandeur, but must go to the County Court and have his rights decided by a person who professed himself to be totally ignorant of that branch of the law he was asked to administer. Then for the first time in England would be seen the rich man treading his way boldly into a magnificent Palace of Justice, and the poor man peddling about a muddy county town endeavouring to seek that justice he was sure not to obtain. There would be then truly one law for the rich and another for the poor. With regard, then, to his second objection — the want of the machinery necessary for properly carrying out equity law, let their Lordships compare that of the County Courts with that of the Court of Chancery, and they would at once see the impossibility of reducing to practice the theory of this Bill. When a Court of Equity undertook to do things it did them thoroughly. For example, if it undertook the administration of an estate it took the money, secured it, and distributed it. The County Courts had no machinery for that purpose, and was it to be said the poor man's £500 was less to him than the rich man's £100,000? By the improvements which had been and would be made in the practice of the Chancery courts, the costs of proceedings therein would be greatly reduced, so that the objection that they were two expensive for the poor man would be removed—the Courts had been opened to the poor man, and there he had the advantage of having his cause heard before Judges who had made equity their study and a competent Bar to assist them. If the Bill were based upon sympathy for the poor man, it showed itself in saving his pocket by giving him bad law—which nobody would wish to have at any price:—nor must it be forgotten that in the County Court there were no equity barristers, and the attorneys who practised there would be incompetent to assist the Judge upon any doubtful point. He repeated that they were taking money from the Suitors' Fee Fund which he solemnly declared belonged to the suitors of the Chancery Courts as a class, and to them alone—and were taking it without any colour of right whatever—for purposes which were quite foreign to those to which it ought to be applied. He thought the proper application of the Fee Fund was to apply it to the reduction of the costs in Chancery, so that at a small cost suits might be disposed of in the highest court of justice, and that there might be the same law for the rich and for the poor. As to the Bill now under discussion, a great objection to giving jurisdiction in equity to County Courts was that the Judges of these courts were itinerant. The Equity Courts were always sitting in some certain and fixed places—whereas the County Court Judges went circuit, and might be forty or fifty miles off when an application was made to their court. A court of equity ought to be fixed; otherwise it could not answer the purpose for which it was intended. A resolution had been sent to him from the Standing Committee of the Jurisprudence Department of the Social Science Association, in which it was declared that they approved of the general principle of the Bill—the existing machinery of the County Courts was not adequate to the exercise of a jurisdiction in equity, and they strongly objected to the mode of remuneration proposed by the Bill. He concurred in that view; and last Session he had given notice of an Amendment to the Bill which his noble and learned Friend on the Woolsack had at that time before the House, the object of which Amendment was to reject the proposition for giving such a jurisdiction to these courts. The first section of the Bill now before their Lordships gave the County Courts jurisdiction in all matters in which jurisdiction was possessed by the High Court of Chancery, with certain limitations as to amounts, and except its powers and authority in lunacy. It was declared that the sum of money or amount demanded or sought to be recovered by any plaintiff in a County Court should not exceed £100 exclusive of interest and costs, or when the distributive share of any person in any estate did not exceed that sum a suit for £100 might involve some very nice questions which the County Court Judges with their little knowledge of equity would not be able to solve. There was a further limitation, according to which no suit which sought a declaration of right to any lands, tenements, or hereditaments, exceeding in value £20 per annum, could be brought in a County Court. But though the annual value of a property might not exceed £20, the personal interest which the landlord had in it might be worth many thousands of pounds. Another section in the list of limitations was that suits for specific performance or the delivering up or cancelling of any agreement for the sale or purchase of property could only be brought where the whole amount or value of the property did not exceed £300. He did not, however, think that this limitation made the matter satisfactory, because there were no more delicate questions than those which had to be decided by a court of equity in suits for specific performance and suits for the cancelling of agreements, and these questions arose irrespectively of the amount involved—they turned upon the nicest distinctions and rested upon a great number of authorities. Under this Bill injunctions or orders in the nature of injunctions might be made by the County Courts, and also for stay of proceedings at law where the plaintiff in such proceedings sought the recovery of a debt provable under a decree for the administration of an estate made by the court to which the application for injunction was made; so that a party might go to the County Court and get an injunction against the Lord Chief Justice of England for proceedings in his court. The more the Bill was examined the more evident it became that such a measure would not work. Section 5 provided that if during the progress of a suit it should be made to appear to the Court that the subject-matter of the suit exceeded the limit in point of amount to which the jurisdiction of the County Court was restricted it should not affect the validity of any order or decree already made, but it should be competent to the said court, if it should so think fit, to transfer the suit to the Court of Chancery, and thereupon the suit should proceed in one of the Vice Chancellor's Courts. From this it appeared that if the limit were passed by even the smallest amount the parties might be driven to the Court of Chancery after all. The Bill further provided that suits for the foreclosure, sale, or redemption of property in mortgage should be taken in the County Court within the district in which either the mortgagee or the mortgagor had his usual place of abode. It was to be remembered that the mortgagee and the mortgagor did not usually reside in the same place, and that a man might reside at one end of the kingdom and have his money lent at the other. A mortgagee, for instance, living in the north of England, might step into a County Court fifty yards from his door, and take proceedings against his mortgagor who lived in the south, and what an injustice and inconvenience that would be to the latter. The same was the case with regard to suits for specific performance. Either party might commence proceedings in the County Court of the district in which he lived or carried on business. He objected strongly to the manner in which the fees were to be levied, and the Judges to be remunerated for their additional labour. The Government were about to take £1,000,000 from the funds of the Court of Chancery, which he maintained was the property of the suitors, and which ought to be applied to the reduction of the fees, so that even the poorest might be able to avail themselves of the remedies provided by the Court of Chancery. He was strongly opposed to the Bill; but, on the whole, he did not think it advisable to divide the House against it on the present stage, though he should certainly do so on a future occasion unless the Bill were materially altered in Committee.

Lord CRANWORTH said, he concurred entirely with his noble and learned Friend (Lord St. Leonards) in thinking that there were many provisions in this Bill which ought not to be allowed to stand; but, upon the whole, a Bill to give County Courts equitable jurisdiction in some cases of small amount would be exceedingly useful. The County Courts had now been constituted about twenty years. Their creation was in the first instance, a tentative measure, but it had succeeded admirably, and from time to time their jurisdiction had been enlarged, to the great benefit of the country; and he thought it not unreasonable to say that the time had come when an equitable jurisdiction might be conferred upon them, within certain limits, with further advantages. Surely courts which were intrusted with the duty of ascertaining whether debts were due were competent to wind up small estates, to ascertain who were the creditors, and to divide the assets. By the law as it at present stood, County Courts had a jurisdiction as to legacies up to £50; but they had no jurisdiction where people died intestate, leaving a small property. For himself, he had no doubt whatever that the Judges of the County Courts were fully competent to discharge the duties that would devolve upon them. He agreed with his noble and learned Friend's objection to the manner in which the County Court Judges were to be paid for the extra labour imposed on them. When these courts were first instituted the Judges were paid by fees; but that was so objectionable, and was found to give rise to a feeling of suspicion so improper to be entertained with reference to any Court of Justice, that the system was put an end to, and he regretted extremely this attempt to revive it in however modified a form. This was a matter, however, which might be set right. On the whole, he could not but express his approbation of the Bill, and he hoped it would become law, with certain modifications.

Lord CHELMSFORD said, that when his noble and learned Friend's County Court Bill was before the House last year, he had expressed his approbation of certain provisions in it giving an equitable jurisdiction to County Courts; because he thought it would undoubtedly be a desirable thing if equitable remedies could be brought within the reach of persons who could not afford the expensive luxury of a Chancery suit. He thought this Bill would, on the whole, provide the remedy. To prevent the County Courts, however, obtaining too large a jurisdiction would require very careful framing of the details of the Bill, and he wished to call his noble and learned Friend's attention to the wording of the first clause, which he thought might have rather a dangerous effect. The first clause ran thus—

> "Every suit or matter that may now be commenced and prosecuted in the High Court of Chancery may hereafter be brought and prosecuted in the County Courts, and the Judges thereof shall have full jurisdiction to hear and determine the same, &c., subject, nevertheless, to the provisions and restrictions hereinafter named."

But unless those restrictions were very carefully framed the County Courts would get a jurisdiction to any amount; and he would suggest that it would be better if the clause ran—

> "The Judges of the County Courts shall have power to hear and determine every suit which may now be commenced in the High Court of Chancery in the following cases."

He could not help fearing that if this additional business was thrown upon the County Courts, they would be found scarcely able to bear the increased burden. He had been informed by one of the Metropolitan County Court Judges that he had an average of 140 cases every day on which he sat, and that he was frequently occupied until seven or eight in the evening in disposing of them. The only other point to which he would advert upon the present occasion was the very objectionable mode in which it was proposed to remunerate the Judges for the additional labour to be cast upon them. He was inclined to believe that the plan proposed by the Bill did not have the entire concurrence of the noble and learned Lord on the Woolsack; but that he had adopted it under the belief that a proposition for an increase of salary to the Judges would meet with opposition elsewhere—such as he had in fact met with when introducing his Bill of 1860 in the House of Commons. He quite agreed with the noble and learned Lord that the salaries of the County Court Judges should be increased. The County Court Judges had not been treated either fairly or liberally by the country. Originally they were paid by fees; but a power was reserved to the Crown by Order in Council to commute those fees into salaries not exceeding £1,200 a year. The fees in some courts amounted to large sums, and an Order in Council was issued, giving the Judges salaries of £1,000 a year, they being allowed to practise at the Bar beyond the district of their respective courts. When the jurisdiction was increased to £50, an Act was passed, giving power to increase the salaries to £1,500 a year, but restraining the Judges from practising at the Bar. Some time after the Treasury gave £1,500 a year to ten of the Judges, £1,300 to two others, and left the remainder with their old salaries of £1,200. At the same time, provision was made that when the business of any County Court increased to a certain amount, the salary of the Judge should be raised to £1,500. He was told that the present Prime Minister objected to the arrangement, and thought that all the Judges should receive £1,500 a year. Soon afterwards, however, the 19 & 20 *Vict.* was passed, which took away from the majority of the Judges all prospect of increased salaries. During the interval labour of different kinds had been thrown upon the County Courts—in fact they were considered as judicial beasts of burden, upon whom any kind of new labour could be imposed. The noble and learned Lord, in introducing his Bankruptcy Bill in the House of Commons, in 1860, expressed an opinion that the country had dealt with the County Court Judges in a niggardly spirit, and proposed to grant them an increase of £300 a year. That Bill dropped; and under the Act now in force the Judges had all the additional labour, but no increase of remuneration. Such a mode of dealing with those gentlemen was not just. He could not concur in the opinion that the County Court Judges, as a body, were incompetent to deal with Chancery business, for many of those learned gentlemen had passed many years in practice in the Equity Courts. By the provision in the Bill, however, no Judge was to receive a greater amount of fees than would raise his whole remuneration to £1,600 a year. The effect of that would be that in populous places, where the greatest proportion of new business might be expected to arise, and where the Judges now received £1,500, the only additional remuneration they would receive for the new labour would be £100 a year; while in districts where there was less business the Judge might get an increase of £400 a year. He should not at present enter further into details; but would express a hope that the noble and learned Lord would have influence enough in the proper quarter to accomplish his object of remunerating the Judges in a less objectionable manner. His own opinion was that all the Judges should receive £1,600, and some of them were well entitled to £1,800 a year.

THE LORD CHANCELLOR: My Lords, I must ask the attention of your Lordships for a few moments. First I will advert to the subject last spoken of, the remuneration of the Judges. The noble and learned Lord has rightly divined that the mode I have adopted in the Bill is one dictated by necessity and not by choice. I am perfectly well aware of the objections to this plan. It is one I would not have resorted to if I had found myself able to carry another mode of remuneration. But it is a very serious question, as your Lordships will see, when I tell you the present expenditure of the country upon the County Courts. The sum voted in the last year for the County Courts generally was £152,000, and the salaries of the Judges, paid out of the Consolidated Fund, amounted to £82,000; so that the total expense was £234,000. I am by no means disposed to say that is too large an amount; but, at the same time, it is so large a sum that I was very unwilling to peril this measure by proposing that any considerable addition should be made to the salaries of the Judges. I was afraid that such a course would involve the discomfiture of the Bill, or, at least, that the proposition would not meet with the assent of the House of Commons, so that the Judges would be left without additional remuneration for new labours to be imposed upon them. I concur in much that has been said as to the merits of these functionaries and the inadequate manner in which they are paid. I protested against the reduction of their salaries. I desire to augment their salaries to an amount of £1,600 a year. It was in order to avoid the danger of the Bill being utterly defeated that I have now proposed this mode of remuneration, not as the best mode, but as the only one which I think there is any chance of getting the House of Commons to assent to. As to the measure itself, I can only say I am not surprised at the opposition of the noble and learned Lord near me (Lord St. Leonards). Neither do I desire otherwise, for I know the great advantage of having his determined opposition, because we are certain to have the benefit of the close scrutiny of all the provisions of the measure. At the same time, I hope that his opposition is with a view to amend and not to destroy the Bill. At the same time I regret that my noble and learned Friend, with all his experience and the great respect with which his opinion is received, should have spoken of the County Court Judges in the manner he has done. My noble and learned Friend has referred to these Judges as being utterly incompetent to administer business in equity. I was sorry to hear that opinion fall from my noble and learned Friend, because he has practised in the Equity Courts, and was present when Lord Lyndhurst was suddenly transferred from the Court of Common Law to the Court of Equity, which he afterwards adorned for so many years. I never heard that any charge of incapacity was brought against him; and the same thing may be said of a great number of other Judges who were transferred without any warning in the same way. My Lords, I appeal to my noble and learned Friend whether he would be in the situation he says the County Court Judges are—that they are men ready to confess and acknowledge their incompetency. I am not at all aware that those gentlemen have any such extraordinary modesty, and if they have I should by all means desire them to get rid of it as soon as possible.

Modesty in regard to the administration of equity in matters of this description is greatly misplaced, for the greatest portion of what is denominated equity is nothing in the world but good sense and common reason guided by some general knowledge of the maxims and principles of law. I do not contemplate with any fear the conduct of gentlemen who have been selected from the ranks of the Bar — from the manner in which the County Court Judges have been selected for the last twenty-five years, I believe that their equity administration on those subjects which the Bill proposes to add to their present duties will be distinguished by good sense, care, skill, and knowledge in the law. The only objection which is made to the establishment of the County Courts is similar to what has been urged this evening—the inferior administration of justice. One of the provisions of the statute by which those courts were established shows that they were originally intended to apply to equity as well as common law; and I know not in what manner they could better be made auxiliaries for the public good than in being intrusted with the administration of justice in those cases which from the nature of things would fade and dwindle when attempted to be brought within the cognizance of a superior tribunal. I do not purpose following my noble and learned Friend on my left (Lord St. Leonards) into the argument of which he has given us a foretaste to-night, and of which he threatens a continuance upon another occasion. But when my noble and learned Friend says I had better abstain from putting sacrilegious hands upon the Suitors' Fee Fund, which ought rather to be applied to the reduction of the fees of the court, my noble and learned Friend forgets what he ought to have remembered—the effect which has attended the reductions already made. I hold in my hand extracts from certain bills of costs, and will appeal to them to show the necessity of the measure and the impossibility of otherwise opening the doors of equity to small cases such as those now proposed to be transferred to the County Courts. In the first case, I find that there was a suit instituted in the Court of Chancery to get a decree for some property not exceeding in value £150. The costs amounted to £95 13*s.*; but the court fees, the reduction of which is the panacea of my noble and learned Friend, were only £5 7*s.* 6*d.* The costs and court charges therefore amount to

£90 5*s.* 6*d.*, which I think is quite a sufficient bar to attempt to get relief from Courts of Equity in such small cases. The next case is something still worse. There was a small suit instituted for the administration of an estate. The whole estate was £400, and the debts on it £100. The costs amounted to £139 8*s.* 8*d.*, the court fees being only £9 12*s.* It is no reproach to the court that these costs were so large, for the expenses arise from the fact that the suit originates in the country and the business has to be conducted between country and London solicitors, involving great loss of time and increase of expense. If witnesses be required these witnesses would also probably have to come to London, or a commission must have gone down to examine them in the country. The great fault of lawyers is that they become so enamoured of the old system in which they have been bred, and in its principles, that they refuse to see anything but good in its application, and they look with suspicion on any plan which is likely to make the form of judicial procedure less elaborate and less costly as likely to cause a departure from that exactness in which they believe justice resides. There are some criticisms upon the subject of the Bill, upon which I believe a great deal can be said *pro* and *con.;* but I shall be extremely glad to have the measure subjected to every kind of scrutiny and anxious care, in which I am sure I shall have the assistance of my noble and learned Friend, and I trust, therefore, that the House will not refuse to give the measure a second reading.

Motion *agreed to.*

Bill read 2ª, and *referred* to a Select Committee.

And, on March 6, the Lords following were named of the Select Committee:—

Ld. Chancellor.	L. Saint Leonards.
Ld. Steward.	L. Wensleydale.
E. Devon.	L. Belper.
E. Romney.	L. Chelmsford.
V. Eversley.	L. Kingsdown.
L. Cranworth.	L. Lyveden.

House adjourned at half past Six o'clock, till Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, March 3, 1865.

MINUTES.]—Select Committees — On Africa (Western Coast) *nominated* (*see* p. 559); Commons and Open Spaces *nominated* (*see* p. 515).

Supply—*considered in Committee* — Committee R.P.

Public Bills—*Second Reading*—Court of Chancery (Ireland)* (No. 1) [6].

Committee—Industrial Exhibitions* [36]; British Kaffraria (*re-com.*) [45].

Report — Industrial Exhibitions* [36]; British Kaffraria* [45].

Considered as amended—Common Law Courts (Fees)*; [39].

WATERWORKS BILLS.—QUESTION.

Mr. FERRAND said, he rose to ask the President of the Board of Trade, When the Clauses for protection of life and property to be inserted in Waterworks Bills will be laid upon the table of the House; and whether they will apply to existing Waterworks Reserviors?

Mr. MILNER GIBSON, in reply, said, he could not at present state when the clauses to be inserted in the Waterworks Bills will be laid upon the table. The subject was at present under consideration, and he hoped he might be able to give a more definite answer in the course of a few days.

SHERIFF COURTS (SCOTLAND).

QUESTION.

Mr. BAXTER said, he wished to ask the Lord Advocate, When the Returns relative to the business transacted in the Sheriff Courts in Scotland, ordered by the House on the 6th June, 1864, will be laid upon the table?

The LORD-ADVOCATE, in reply, said, he really could not inform his hon. Friend when the Returns, which were very voluminous, would be laid on the table. They were now being prepared, and he would take all the means in his power to have them completed.

ARMY—SENTENCES OF COURTS MARTIAL.—QUESTION.

Mr. MORRITT said, he wished to ask the Under Secretary of State for War, in case of a soldier being tried by General Court Martial, What time is allowed to elapse before the sentence is promulgated; and also whether it is true that a soldier in the Coldstream Guards was tried by a

General Court Martial before Christmas, and another soldier in the Scots Fusileers was tried by General Court-Martial on the 12th January, and neither sentence has as yet been promulgated?

Mr. HEADLAM said, he could answer the Question—there was no regular time, as the Question of the hon. Member implied. The practice with regard to cases of this description was that as soon as a certain number accumulated they were taken up to Her Majesty. These cases had been taken up to Her Majesty, and there was no reason why the sentences should not now be promulgated.

ARMY—MILITARY RESERVE FUND.

QUESTION.

Lord HOTHAM said, he would beg to ask the Under Secretary of State for War, Whether he will undertake to present the Annual Report of the Military Reserve Fund in sufficient time to allow of its being examined and considered by Members before he moves the Army Estimates in Committee of Supply?

The Marquess of HARTINGTON replied, that the Report of the Military Reserve Fund extended over transactions which had taken place in the financial year beginning April 1 and ending March 31. The Report, therefore, could not be printed until the conclusion of the year, and he feared it would not be ready for presentation to the House till three weeks or a month after the conclusion of the financial year—that was to say, about the end of April.

INDIAN STAFF APPOINTMENTS.

QUESTION.

Mr. TORRENS said, he would beg to ask the Under Secretary of State for War, Whether he will lay upon the table a List of Officers who have been seconded or made supernumerary in the Indian Artillery because of employment in miscellaneous Staff appointments, in conformity with the Despatch of the Secretary of State for India, No. 61, dated February 29, 1864, which was concurred in by the Secretary of State for War and his Royal Highness the Field Marshal Commanding-in-Chief; and, in the event of the Instructions therein contained not having been carried into effect, will he give the reasons for delay in obtaining them?

The Marquess of HARTINGTON said, in reply, that the papers referred to by the hon. Member would appear in the *Gazette* in a few days, and, therefore, he did not think it would be necessary to lay them upon the table. The change which had taken place was consequent upon a long correspondence between the Home Government and the Government of India.

EGYPT—THE SUEZ CANAL.

QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the First Lord of the Treasury, Whether Sir Henry Bulwer has gone from Cairo to make an inspection of the works of the Suez Canal; whether he will make an early Report on the subject; and whether such Report will be laid upon the table of the House?

Viscount PALMERSTON: Sir Henry Bulwer has been at Cairo, but has been confined by an attack of illness. Some time ago he paid a visit to the Suez Canal, but I do not believe he has lately done so. There is no Report from him to be laid before this House.

DEPUTY LIEUTENANCY OF THE TOWER.—QUESTION.

Sir JOHN TRELAWNY said, he would beg to ask the Under Secretary of State for War, Whether Lieutenant General Lord de Ros, having accepted the appointment of Colonel of the 4th Hussars, will continue to hold the post of Deputy Lieutenant of the Tower.?

The Marquess of HARTINGTON said, in reply, that Lord de Ros would continue to hold the appointment of deputy lieutenant of the Tower, although he had been appointed colonel of the 4th Hussars. It was not necessary that he should enter into an explanation of the circumstances, but he might state that Lord de Ros was appointed to the Tower before the rule was laid down by which it was declared that in future officers should not hold two such appointments together. In the case of a gallant general (General Bowles), who had been deputy constable of the Tower, precisely the same rule had been acted upon.

CONFEDERATE STATE CRUISERS.

QUESTION.

Mr. SHAW LEFEVRE said, he wished to ask the Under Secretary of State for Foreign affairs, Whether the attention of Her Majesty's Government has been called to a certain Minute of Instructions alleged to have been issued by the Government of the Confederate States with reference to the seizure and disposal by Confederate cruisers of neutral vessels and cargoes without any adjudication by a Prize Court; whether such instructions meet the approval of Her Majesty's Government; and, if not, what measures have been taken to prevent their being put in force?

MR. LAYARD, in reply, said, the attention of the Government had been called to those instructions, which were disapproved by Her Majesty's Government. It would not, however, be consistent with the interests of the public service that he should detail the steps which they had directed to be taken.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MONASTIC AND CONVENTUAL ESTABLISHMENTS.

MOTION FOR A SELECT COMMITTEE.

MR. NEWDEGATE moved that a Select Committee be appointed to inquire into the existence, character, and increase of Monastic or Conventual Establishments, or societies, in Great Britain. He said:* It will be in the recollection of the House that on the 8th of April last I ventured to make a Motion in the House for a Committee to inquire into the case of a Mr. Smee, detailed in a petition which I presented to the House, with reference to certain circumstances connected with the last illness, burial, and the disposal of the property of a Mr. Hutchison, a relation of his, who became a member of the Society of St. Philip Neri, or Society of Oratorians, which has an establishment at Brompton, and also had a burial-ground at St. Mary's, Sydenham. It was alleged on that occasion that this case was to be adjudged by the tribunals of the country, and a circumstance occurred which tended to divert the attention of the House from the conclusion of the Motion which I then made, which going beyond the immediate case presented by the petition of Mr. Smee, proposed to inquire into the conventual and monastic institutions, which have increased so largely in this country. It happened that Mr. Smee, without consulting me, without my knowledge, and without my consent, although he had placed his case in my hands, addressed a letter to the Duchess of Norfolk, and printed and circulated that letter the day before without my knowledge or consent. Perhaps no Member of this House had more reason to complain of that proceeding than myself. I had no opportunity of replying on that occasion; but I now beg to assure the House that that letter was printed and circulated without my knowledge or consent. I allude to this circumstance because great use was made of that letter for the purpose of diverting the attention of the House from the more extended matter of my Motion; and upon a division, in consequence, I may say, to a great extent, of the circulation of that letter, the Motion was defeated. I am happy to say, however, that the House afterwards gave me reason to believe that the circumstances which I had adduced connected with the burials in the burial-ground at Sydenham—the inaccurate description of the dead, and the non-registration of the burials—were circumstances worthy of the attention of the Legislature, for I have this proof, that the hon. and learned Member for Guildford introduced a Bill for the registration of burials conducted in cemeteries other than those of the Church of England. That Bill passed both Houses of Parliament by unanimous consent, and is now the law of the land. The House will excuse me for adverting to this fact, because I wish to show them that when I venture to make a Motion in this House it is never done for the mere purpose of agitation, far less for purposes of party triumph, but with an honest intention of effecting an improvement in the law and performing my duty as an independent Member, by suggesting matters to the House which I respectfully deem worthy of their consideration. And this was the case on that occasion. During the debate to which I have referred allusion was necessarily made to this Society of Oratorians, and a petition was presented from the Rev. Mr. Harrison, of Bugbrook, in Northamptonshire, complaining that his son, a minor, when captain of the school at Westminster, had been seduced—I use the term advisedly—into that establishment contrary to his parental authority, had been kept there in defiance of his parents' will, and had been induced to enter that monastic order, for such I must term it, to the detriment of his prospects in life. I know not why, but the Committee on Public Petitions have not thought proper to print this petition in their Report. I must express my surprise, for a more important petition has seldom been presented to the House. It was presented by the hon. Member for Northamptonshire, the representative of this injured gentleman, and it is with the consent of his family that I now ask permission of the House to read this petition. It runs thus—

> "That on the 1st of March, 1861, your petitioner's son was captain of the Westminster School, and would in the course of a few weeks have obtained his election to a junior studentship at Christ's Church, Oxford.
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> "That up to Sunday, the 3rd of March, in the same year, your petitioner's son had never held the slightest communication whatever with any Roman Catholic priest; that at one o'clock on that day he was introduced to Father John Bowden, a priest of the Oratory, at Brompton, to be shown, as he supposed, over that establishment; that he was detained in the Oratory by various invitations and by other circumstances for the remainder of the day, and was finally baptized at nine o'clock the same night, with the knowledge and consent of the Superior of the said Oratory, and for the express purpose of debarring your petitioner from the exercise of his just rights and authority as a parent.
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> "That your petitioner's son was at that very time in an infirm state of health, and was actually under medical treatment; that after his confession in Father Bowden's room at a quarter before nine o'clock at night, he felt so prostrated as to be obliged to lie down on a sofa; and that he was unwell and suffering from headache at the time of his baptism.
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> "That in a letter addressed to his sister on the 8th of March your petitioner's son described his reception into the Church of Rome as a sin, and as having been obtained by fraudulent means.
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> "That your petitioner, on the removal of his son from Westminster, renewed the expression of his intention to educate him for the Indian civil service, which offer he seemed inclined to accept, but that the Superior or other Fathers of the Oratory, offered him (as your petitioner is credibly informed) £100 per annum if he would become a postulant for the noviciate in their establishment.
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> "That in consequence of the infirm state of his health your petitioner's son, shortly after his removal from Westminster School, was sent by your petitioner to reside for several weeks with a relation at the seaside, where everything necessary for his health and comfort was most amply supplied; that the Superior of the Oratory gave him three pounds to enable him to go to the Oratory whenever he pleased, notwithstanding your petitioner's most positive commands to the contrary.
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> "That your petitioner's son did go to the Oratory before the time fixed for the expiration of his visit; that he became a postulant, and was permitted to commence his noviciate some months before his 19th year, notwithstanding the strong letter of remonstrance your petitioner wrote to the Superior, in which he forbade such a violation of parental authority.
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> "Your petitioner therefore humbly prays your honourable House to inquire into the truth of the above allegations, and to adopt such measures as to your wisdom shall seem meet for the protection of families and the vindication of parental authority. The petition is signed
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> "J. H. Harrison."

This petition has not, I think, received the attention which it ought. The House will, therefore, excuse me—as I was consulted by that gentleman before he prepared the petition, as I recommended him to seek legal advice in order that it might bear the strictest investigation, and as I know he accepted my advice—if I say that I think that petition worthy of the attention of the House. I wish now to advert to another circumstance connected with the debate of last Session, to which I have referred, since, as I have said, I had no power or opportunity of reply. During that debate the late Attorney General for Ireland (Mr. O'Hagan) said—

> "Every one belonging to his religious creed (that is, the Roman Catholic) knew that, which it was no shame to the hon. Member for North Warwickshire if he did not know, that the constitution of the Community at Brompton did not in the smallest degree bring them within the purview of the law. Persons who belonged to the Oratory at Brompton — those who belonged to any Community of that distinguished Order—were not bound by vows such as the hon. Member appeared to suppose. It was a matter of perfect notoriety that they lived together in Community; they were secular priests associating voluntarily, not bound to remain together for a single hour, each holding his property, and able to dispose of it just as he desired." —[3 *Hansard*, clxxiv. 657.]

Now, that statement was in accordance with the evidence afterwards adduced before the courts in this country, and it was the paraphrase, and contained the substance of the evidence adduced in 1855 before the Provincial Court of Genoa, in Italy, when the constitution of this very Order was tested by that tribunal for the purpose of ascertaining whether the Order came within the law for the suppression of monasteries in Italy; and the Court, in the first instance, decided that that description of the Order was correct, and acted upon the supposition that these Oratorians had been wrongly included in the decree which was to give effect to the law passed by the Italian Legislature in 1855 for the suppression of the convents and monasteries of Jesuits, Franciscans, and other regular Orders of the Church of Rome in Italy. But the following year this question was raised again by appeal in the same Provincial Court of Genoa, and that Court finally decided that the Order of Oratorians came within the provisions of the law of

1855—that the decree for giving effect to that law correctly included that Order; and, to the best of my belief, as that decision was considered final, that Order is suppressed as being one of the regular Orders of the Church of Rome, although not, perhaps, coming technically and strictly within the provisions of the Act of 1829—the Act for the Relief of Roman Catholic Disabilities. I wish to make these statements to the House because the conduct of the Oratorians in the case of Miss M'Dermot has excited so much attention, and is not unlikely to come before the courts again. It has already been investigated before the magistrates; and it is, I think, important that the House should know that the Italian Parliament and Government, who must have been more cognizant of and possessed more knowledge on these subjects than the late Attorney General for Ireland thought the hon. Member for North Warwickshire possessed, have decided that this is one of the Orders which it is expedient for the welfare of the Italian people should be suppressed. I have ventured to ask the House to appoint a Committee in the terms of my Motion, and for this reason. It is notorious to every one that of late years there has been a most enormous and, I may say, unprecedented increase in those monastic and conventual establishments in this country. Let me show the House exactly what I ask. Last Session I gave notice for a Return which should include some information as to the locality of these establishments, the character of their inmates, and the nature of their organization. The right hon. Gentleman the Secretary for the Home Department told me that I should find this information in documents in the Registrar General's office. I have applied, but there are no such documents in the possession of the Registrar General. Well, then, this House, acting in the spirit of the law of 1829, takes cognizance of convents of women, in the terms of the Act, as establishments the existence of which are at least recognized, if not protected. These same clauses in the Act of 1829 strictly prohibit the establishment in this country of the seminaries or houses of the Jesuits, and of the other male Orders of the Church of Rome; and I will call the recollection of the House to this fact, that these clauses of the Act of 1829 are recited and re-enacted in the Act of 1860 for the protection and due administration of Roman Catholic charities. Therefore, let the House remember that by its own act these clauses are not obsolete, but were revived only five years ago. Well then it is urged, "Oh, but these are private establishments, especially the convents, with which the Legislature has no more right to deal, and of which it takes no more cognizance than of establishments consisting of families of Roman Catholics, or of families belonging to any other denomination." Now, look at what you have done. You have provided for the due administration of property belonging to these convents as though it were possessed by a *quasi* corporation. You have forbidden the acquisition of property by the male monastic Orders in any such character; and by the Act of last Session you have provided for the registration of burials within the precincts of these monasteries and convents. I say then that the plea that these are private institutions in the sense in which they have been described as similar to private families comes too late. That interpretation is adverse to the sense of every Roman Catholic country. In France there are strict provisions for the regulation of these establishments. The Mayor of the Arrondissement has a direct power of visitation. The law provides that monastic vows shall not be binding for more than five years. Then take the case of Prussia. Here the law has been very much relaxed since 1850. Formerly there were strict provisions for the regulation of these places; but they are still kept within the cognizance of the State. The present form of the administration in Prussia so nearly and so practically approaches the despotic form of Government, that the power reserved to the Crown for the visitation of these places, and of judging whether admission to these establishments is justifiable, is found to be amply sufficient for every purpose of guarding the personal freedom and property of those who may think fit to consign themselves to them. Then, turning to Italy. Italy has found it necessary for the establishment of her freedom to suppress a large number of these monastic institutions, and for the sake of her morality to suppress many of the convents. Italy, in 1863, was but following the example of England at the time of the Reformation; the example of France in 1798, and the example of Spain, bigoted Spain, in 1837. And with this movement throughout the Continent, I trust the Parliament of England will forgive me if, in the face of the rapid increase of these establishments at this time, I call upon it to make some inquiry into the localities in which they are to be found, as to the character of the Orders by which they are held, and to include in that inquiry the nature of the discipline carried out within them. To give the House some idea of the increase of these establishments, I find in England and Wales there were religious houses of men in 1841 but one; of convents, 16; of colleges, 9. But in 1851 there were religious houses of men, 17; convents, 53; colleges, 10. And now how stands the account? In 1865 there are religious houses of men, 58; convents, 187; colleges, 10: and if to the account we add 14 convents for Scotland, there are 201 convents established in this country, and possessing, to my knowledge, in the midland counties, considerable real property as well as personal estate. I wish, in addressing myself to this subject, to say a few words in order to dispel the illusion that this Motion is a mere ebullition of Protestant bigotry. I will recall for one moment the attention of hon. Members to some passages in the history of their own country, which I think must have escaped their attention. I find in a work of Lord Lyttelton, the ancestor of the accomplished peer who now bears that name, that in the reign of Henry II. the rapid increase of these establishments — about as rapid as that which is now taking place—was considered a grievous detriment to the country. Lord Lyttelton says—

> "The great increase of religious houses must be reckoned among the evils of this age (Henry II). The author of the *Notitia Monastica* computes the number of such houses built in England during the reigns of Henry I., Stephen, and Henry II., at no less than 300. And Mr. Inett asserts that more monasteries and other religious societies were founded in that kingdom during the single reign of Henry I. than in 500 years before. But he rightly observes that this was not peculiar to this nation. The high opinion of the merit of such foundations, infused into the minds of the laity by the divines of those days; the hopes of compounding in this manner with the Deity for the greatest offences; but more especially the liberty, granted by the Pope, of commuting for vows made to go to the holy wars by benefactions of this kind, filled all Europe with convents. In the year 1152 the Cistercian order, which had been founded in 1098, had no fewer than 500. Among other causes of the increase of monasteries in this kingdom may be reckoned the civil war with which it was afflicted during the reign of King Stephen. For many of the nobility engaged in those troubles endeavoured to atone for the pillage of the people and other crimes they had committed by raising or endowing religious houses, and others desired to secure for themselves and their children a quiet asylum in these places. The pernicious consequences of such numbers of men and women being confined to a life of celibacy were grievously felt in the reign of Henry II., by continuing and increasing the depopulation of the country, which the commotions in that of his predecessor had occasioned. Nor was it a small inconvenience to the Government of this monarch in his disputes with the Pope, that he had so many persons in his realm, who, by their separation from society, and the nature of their institutions, were more devoted to the see of Rome than the secular clergy, which difference showed itself upon several occasions in the conduct of both. And the practice of exempting monks from the proper authority of the diocesan bishops increased this mischief."

Nothing towards abating these evils was done in the reigns of Henry III. or IV. Henry V., a Roman Catholic sovereign, found it necessary to suppress a great number of monasteries. In *Kennett's Cases of Impropriations*, page 119, it is stated that—

> "Had the monasteries been dissolved in Henry V.'s reign, when the Bill was brought into Parliament for that purpose, it would have been more regularly and justly conducted than in an after reign; that by this would all have reverted to the parish churches, and the clergy would have gained as much by it as the Government. This appears from the sequel, that when the King, instead of the English monasteries, had only the alien priories given him, he seized on no part of the tithes, but on the lands and tenements that were before of lay fee, and might justly return into lay hands. These, too, he intended to have employed for breeding up a more learned clergy, declaring it was his design to found a college of divines and artists, and to settle upon the said college the lands of the alien priories dissolved, if he had not been prevented by death. In the first act of dissolution there was a saving to the interest of strangers, travellers, and poor, by binding the new possessors of any site or precinct of the religious houses to keep, or cause to be kept, an honest continual house and household in the same site or precinct. . . . In a preamble written by the King's own hand to another Act, it was declared to be an intent that the endowments of monasteries might be turned to better use, God's Word better set forth, children brought up in learning, clerks nourished in the Universities, and exhibition for ministers of the Church. Divers of the visitors themselves did petition the King to leave some of the religious houses for the benefit of the country, and Latimer moved that two or three might be left in every shire for pious uses. I have seen an original letter from Latimer to the Lord Cromwell (Cleopatra, E. IV., fol. 264) to intercede with the King that Malvern Abbey might be left standing for the better performance of the duties of preaching, praying, and keeping hospitality."

Blackstone on the same subject observes that—

> "The spirit of the nation being so much raised against foreigners, that about this time, in the reign of Henry V., the alien priories, or abbeys, for foreign monks were suppressed, and their lands given to the Crown. And no further attempts were afterwards made in support of these foreign jurisdictions."

I will quote, besides, another historical authority which I wonder should have escaped the observation of the hon. and learned Members of this House. I find in *Hallam's Middle Ages*, vol. II., pages 366-7—

"The virtues, indeed, or supposed virtues, which had induced a credulous generation to enrich so many of the monastic orders, were not long preserved. We must reject, in the excess of our candour, all testimonies that the middle ages present, from the solemn declaration of councils and reports of judicial inquiry to the casual evidence of common fame in the ballad or romance, if we would extenuate the general corruption of those institutions. In vain new rules of discipline were devised or the old corrected by reforms. Many of their worst vices grew so naturally out of their mode of life, that a stricter discipline could have no tendency to extirpate them. Such were the frauds I have already noticed, and the whole scheme of hypocritical austerities. Their extreme licentiousness was sometimes hardly concealed by the cowl of sanctity. I know not by what right we should disbelieve the reports of the visitation under Henry VIII., entering as they do into a multitude of specific charges, both probable in their nature, and consonant to the unanimous opinion of the world. Doubtless, there were many communities as well as individuals, to whom none of these reproaches would apply. In the very best view, however, that can be taken of monasteries, their existence is deeply injurious to the general morals of a nation. They withdraw men of pure conduct and conscientious principles from the exercise of social duties, and leave the common mass of human vice more unmixed. Such men are always inclined to form schemes of ascetic perfection which can only be fulfilled in retirement; but, in the strict rules of monastic life, and under the influence of a grovelling superstition, their virtue lost all its usefulness. They fell implicitly into the snares of crafty priests, who made submission to the Church not only the condition but the measure of all praise."

Again in *Hallam's Constitutional History*, it is stated what an enormous property these institutions possess, and in quoting the passage, I would remind the House that the figures he gives should be multiplied by seven or eight to ascertain the value in our present money. He says—

"The income of the monasteries prior to their dissolution in the reign of Henry VIII. has been variously estimated. Dr. Lingard, on the authority of Nasmith's edition of *Tanner's Notitia Monastica*, puts the annual revenue of all the monastic houses at £142,914. This would only be one-twentieth part of the rental of the kingdom if Hume were right in estimating that at three millions. But this is certainly by much too high. The author of *Harmer's Observations on Burnet*, as I have mentioned above, says the monks will be found not to have possessed above one-fifth of the kingdom, and in value, by reason of their long leases, not one-tenth."

The same author (Hallam) having described the mode in which the monasteries were dissolved and the property appropriated, observes—

"And better it had been that these revenues should thus from age to age have been expended in liberal hospitality, in discerning charity, in the promotion of industry and cultivation, in the active duties or ever generous amusements of life, than in maintaining a host of ignorant and inactive monks, in deceiving the populace by superstitious pageantry, or in the encouragement of idleness and mendicity."

I thank the House for having allowed me to read these short historical extracts; but what are the facts? Was the suppression of the monasteries previous to the Reformation the Act of Henry VIII. alone? The other day, in a lecture at Bath, the Rev. Hobart Seymour, whose knowledge of the subject is scarcely exceeded by that of any one I am acquainted with, gave a full account of the process. It was in the reign of Henry VII., that eminently Catholic King, that Cardinal Morton (an English cardinal), applied to the Pope for permission to reform a number of monasteries. I wrote to Mr. Seymour on this subject, and he sent me extracts from the bull and a copy of Cardinal Morton's letter addressed to the bishops in this country, and there is nothing in the Reports made in the time of Henry VIII. which conveys in terms more explicit or more powerful clear evidence of the deep corruption which prevailed in these institutions. I should like, but I forbear, to read the terms in which the Pope's brief to Cardinal Morton is couched. Cardinal Morton, in his letter, declares that nuns were violated and murders committed in these convents and monasteries. And when I am told that the objections to the revival of these institutions which are so generally felt are the fruit of a mere Protestant prejudice, the House will forgive me if I recall these historical facts to the memory of Roman Catholic Members, that it was an English cardinal who first proposed and that it was a Pope who first authorized the suppression of the monasteries in the reign of Henry VIII. The Rev. Hobart Seymour, in his lecture at Bath on the 6th of February last, said—

"It will be recollected that one of the measures that immediately preceded the Reformation of the Church of England was a measure for the suppression of the monasteries. That measure has been denounced by our Roman Catholic friends as a measure of robbery, and spoliation, and sacrilege; as a measure of such a character that none but a heretic could have devised it, and none but a tyrant could have sanctioned it. Perhaps, Sir, they are nearer the mark than they themselves are aware, for that measure, whatever was its character, was originally devised by a cardinal, and sanctioned by a Pope. The facts of the case are these:—Cardinal Morton was Papal Legate in this country at the Court of Henry VII. He found the monasteries in such a state of demoralization and disorganization that he applied to the Pope for the requisite powers to amend and improve them. Pope Innocent VIII., then at Rome, immediately complied with the request, and issued his rescript or bull giving the requisite authority. But inveterate abuses take long to eradicate, and before the work had well begun Cardinal Morton lay in his grave, Henry VII. was gathered to his fathers, and Pope Innocent VIII. had gone the way of all flesh. We find next Cardinal Wolsey upon the scene as Papal Legate at the Court of Henry VIII. Cardinal Wolsey found some of the monasteries in a state of disorder—disorder in their finances, disorder in their morals—and he applied to the Pope for the requisite powers, not like his predecessor, to amend and reform, but to suppress the monasteries. Pope Clement VII., then at Rome, immediately complied with his request, and issued his bull or rescript to the Cardinal Legate, authorizing him, as he saw fit, to suppress all and every monastery in the whole realm of England. So that if this measure were a measure of robbery, and spoliation, and sacrilege, if it were a measure that none but a heretic could devise, and none but a tyrant could sanction, there is no truth more certain than that it was devised by Cardinal Wolsey, and sanctioned by Clement VII. The Cardinal immediately proceeded to his work. He suppressed off-hand forty of the lesser monasteries, and with a part of the proceeds he endowed Christ Church, Oxford. Some of the larger monasteries, frightened by these proceedings, surrendered, and were suppressed, and the Cardinal was going lightly and jauntily on his course of suppression when the great quarrel and confusion arose between the King and the Cardinal, and then with the Pope. In the midst of this confusion, which was a great day for England, we could see looming in the distance something that looked like rogues falling out, and honest men coming by their own; and Henry VIII., who was as shrewd a man as ever lived, fixed his hands on the Papal bull or rescript authorizing the suppression of monasteries. These facts seem to me to prove that the suppression of monasteries is not materially a Protestant measure, but that it is essentially a Roman Catholic measure."

Hon. Members of the Roman Catholic persuasion forget that, when Henry VIII. succeeded to the throne, he was more eminently Roman Catholic, perhaps, than any sovereign of his time. Why, the Pope himself endowed him with the title of *Fidei Defensor*, for Henry being an accomplished scholar had written an answer to Luther. Henry VIII., through Cardinal Wolsey, applied for power to suppress the monasteries. The Cardinal agreed, and obtained the sanction and authority of the Pope to the measure; therefore, to tell any hon. Member who, like myself, has been educated at Christ Church, Oxford, that this was not the fact — to tell the right hon. Gentleman the Chancellor of the Exchequer that the college of which he is so bright an ornament was not established by funds derived from the source I have described, is really to presume on an incredible amount of ignorance and want of research. Why, it was Cardinal Wolsey himself, the Pope's Legate, who took the funds from the monasteries to found Christ Church; and a blessed work it was. Therefore, when I ask the House to pay some attention to the rapid growth of that which, in the deliberate judgment of two English cardinals, and two successive Popes, before the Reformation, was held to be a national disease, I hope hon. Members will not think me presumptuous in expressing the strong public feeling which exists, that it is the duty of the Legislature to inform itself by its own inquiries with regard to an increase of these institutions which causes so much uneasiness throughout the land. If the Legislature of England persistently ignores the existence of these establishments, and only trusts to the casual information which, with extreme difficulty, is procured as to certain malpractices that have come to light—if the Legislature continues in this state of wilful obtusity, why, it stands to reason that now, when the Roman Catholic countries of the Continent find it necessary to eject the inmates of these institutions from their shores, they will find a harbour here, and that we in England shall inherit the evils from which the Continent is rapidly being delivered? That is a fact which stands to reason. Almost every Member of this House knows that foreign monks and foreign nuns come here, some to take direction of establishments already existing, and others to found establishments of their own. Thus we have growing up in this country the very evil at which Henry V., Roman Catholic sovereign of England, in the thirteenth century, aimed a blow by the suppression of the alien monasteries. Is it reasonable, then, to ask us to ignore these facts? That the public do not think it reasonable, is evident from the number of petitions which have been presented to the House. And now I will touch for one moment on the case of Miss M'Dermott. What is the evidence in that case? It is this. Miss M'Dermott, being then a minor of the age of fifteen, was withdrawn from the natural protection of her mother, and the case was brought before one of the metropolitan magistrates, Mr. Selfe. He declared that the law did not give him power to enforce the restoration of the child to her parent. In the kindliness of his heart he used more private exertion than, I think, his official and judicial position justified him in doing, to accomplish the object which his humanity dictated—namely, the restoration of the daughter to her mother. The law was in that case violated, and what have we in evidence as to the mode in which it was resisted? Why, those priests who got possession of this young girl calumniated her character and the character of her mother. Now, calumny against the characters of women, for the purpose of coercing them into submission, is a favourite weapon of the priests—and if it be not restrained, although I have great trust in the spirit of order among Englishmen, I warn this House lest a violation of peace should be excited. It was only yesterday I received the account of a young man, of seventeen years of age, an undergraduate of Cambridge, having been, two years ago, induced to leave his parents' house for the purpose of entering a monastery in a distant county. His brothers heard of it and went to the monastery and told the Superior that, being a minor, they claimed him as his nearest of kin. The Superior would not listen to them, and resisted. The brothers said, "We do not come here to violate the law, but we know you have got our brother in your possession. We have four friends here, and if you do not give him up we will take him." The Superior then yielded. If you put a stress of this kind upon Englishmen they will break loose. If an endeavour is made to withhold children from their parents, or a brother being a minor from his elder brothers who stand to him *in loco parentis*, you will find that the English people (as in many cases the American people have done) will take the law into their own hands, regardless of the consequences. Then there is the case of Miss Ryan. As I believe other Members will speak of that, I will not dwell upon it; but it appears she was taken from a conventual establishment in this city, and transferred to a lunatic asylum in Belgium. She screamed, she struggled, she implored assistance from every passer-by; and it is admitted by the Government that those means for testing the sanity or insanity of this poor girl which the law prescribes, had not been complied with. It is stated that Dr. Miller, a distinguished medical practitioner, had given a certificate of insanity, but I have a letter from Dr. Miller to say that he gave no certificate at all. I do not know what the Government mean to do in this case. The corporation of Dover, who very properly interfered when they became cognizant of the facts, have been informed that the Law Officers of the Crown admit that the law was violated and set at nought, but they say that it was not done with a bad intention. These are things which try the patience of Englishmen. The English of all nations in the world are most orderly and attached to the law; but once let them feel that there is some organization in this country, especially if it be an organization with a foreign connection which can defy the law and set an example of lawlessness, and you will find them much more difficult to restrain, because the great characteristic of the English people is their devotion to the ties of family. Once let John Bull put on the bull-dog and you will not find it very easy to make him loose his hold. I would not have ventured to bring this subject before the House if I had no facts which were not known to the House and to the public. These cases of Miss M'Dermott and Miss Ryan are fully before the House; the Government and the public are cognizant of both. But there is a case of graver importance than either of these, of which there is direct and sworn evidence in existence, and of which, I believe, neither the Government, nor the House, nor the public, are cognizant. There are convents in the midland counties; there is one at Princethorpe in North Warwickshire, and under that convent are several underground cells with very strong doors and very good locks. The man who made these doors and fitted the locks when that convent was built afterwards worked for me. I speak of the late Mr. Charles Ball, master builder, of Nuneaton. I regret to say that he is now dead; but I know him to have been a trustworthy truth-speaking man. He was at first told that the locks were not good enough, and that he must get better; accordingly he went to Birmingham and procured better locks. [*Laughter.*] Yes, I have reason to believe that these were most admirable locks. Many years ago there was an escape from another convent—that at Atherstone. A poor nun had got across the road and half way across the next field. She was captured and forced back into the convent. Those who lived in the vicinity of the convent became uneasy; and all we can say is that we know that there were 15 cwt of iron bars afterwards put in the windows of the convent very soon after the escape. The neighbours did not like these ways of going on, and a close watch was maintained. All at once a priest connected with the convent became wonderfully communicative. He said it was quite true that the discipline was infinitely too severe, that he was not in the least surprised that there had been an attempt at escape, that he was going to give up his situation, that he would no longer be connected with such an establishment, that the Order was about to be changed, that nuns of an Order with a less severe discipline were to succeed those whose practices had thus shocked the neighbours, and so the whole community—nuns, priests, confessor, and all — disappeared. Then there was the case at Derby. At Derby the corporation were uneasy because burials were known to have taken place within the convent walls, while no deaths were registered. The whole case was brought before the corporation and the Home Secretary. The same thing happened as at Atherstone. The community was removed ; but something more was done—the convent was pulled down. There is another case, and here I speak from sworn affidavits. In February, 1857, it became known that a nun had escaped from the Benedictine Priory at Colwich, in Staffordshire. She was seen at the back of the convent on the line of railway; she went to the pointsman first, and then to the stationmaster. She was described as dreadfully emaciated, poorly clad, and in the greatest state of terror. She seemed anxious to conceal herself ; after some time she went by the railway to Stafford, and at Stafford it fortunately happened that an old general officer was at the station and saw her. She went on to Birmingham ; that night a telegraphic message passed up the line to the effect that Dr. Ullathorne would bring her back to the convent. I shall not mention any other names in this case. He did bring her back ; and the circumstance of her being brought back closely veiled and closely watched created an uneasiness in the public mind. We do not like these things in the midland counties. This happened not very long after the discovery and conviction of the poisoner Palmer. The Government would not allow us midland counties people to try that man. He was tried in London, coolly, properly, according to due course of law, and hanged. That circumstance produced a good deal of excitement in the neighbourhood, and the people were more watchful in consequence, for the crime was perpetrated at no great distance. There was the most extreme difficulty in procuring evidence in the case of this nun. I have a complete narrative of what was done in the case, written by a person whom I will not name; but he took the matter up in the spirit of an Englishman. I have before me the name of the solicitor who was engaged in the inquiry. This person had never seen this young woman, but he was determined, from all he heard in the neighbourhood, that the circumstances of the case should be brought out. He was assisted on the occasion by the Protestant Alliance in London. Well, the priests and those connected with this convent, when aware of the inquiry, threatened in the most malignant terms every person who might give evidence upon the subject. They obtained the dismissal of the clerk through whom the telegraphic message should have been sent. It was a most happy circumstance that he was absent from his post at the moment the message came to the office, and he had left another person to transmit the message. That person was not bound by the obligation of secrecy, and it was through him that Inspector Field, the detective officer, found out the name of the poor nun. It was not known for months, and would most probably never have been known had it not been for that happy accident. After Inspector Field came down the terror which had been excited subsided, and people began to speak out. An application was made to the Court of Queen's Bench for a writ of *habeas corpus*. Affidavits were produced, and plans of the premises, all of which are in my possession, together with the primary examination. I would not venture to bring that case before the House on my own authority, but I will read to the House an account of what occurred in the Court of Queen's Bench as it has been drawn up by one of the gentlemen specially engaged in the transaction—

> "The evidence being now complete, an application was made to the Court of Queen's Bench before Mr. Justice Wightman on the —— day of July. After hearing counsel in support of the case for a writ of *habeas corpus*, his Lordship expressed his willingness to issue an order to the authorities at the convent to show cause why a writ should not issue. As this, however, would have prematurely opened a discussion in court, the council after a conference, intimated their willingness to abide by his definite decision. His Lordship, therefore, promised to take the affidavits home with him to peruse them, and to give his decision in the following week. . . . . At the appointed time Justice Wightman stated that he had carefully read the evidence, but that he should have again to defer his decision, as it

did not appear that any application had been made at the convent for permission to see Miss ——" (this nun).

I will not give her name, or those of others concerned (for I know not whether she is alive or dead), until this House may think fit to appoint a Committee, and thus to cast over the witnesses the protection of its authority. The narrative continues that Mr. Justice Wightman said—

"An application must, therefore, be made for a private interview with her, to ascertain if she were confined against her will; and, if refused, or, the permission being granted, she stated that she was so confined, then he would grant a writ. His Lordship said it was a most interesting and uncommon case; but as it was likewise a very important one, it was necessary that great circumspection should be used."

The persons whom the Judge commissioned went down to Colwich, and the narrative goes on to say—

"Having met, we proceeded to the convent, and arrived at the door at 11.35 on the 14th of July. Being opened, I presented my card to the servant, who was dressed in black, and on the request to see Mrs. ——, the Mother Superior, we were shown into the visitors' waiting-room, a large, cheerless apartment, hung round with pictures of saints and small coloured engravings with plain ungilt frames. At the end of the room was a large counter covered with oil-cloth, which entirely reached across the room and divided it into two parts. Behind this was a door. We had been kept waiting for about a quarter of an hour when two nuns entered by the door behind the counter and inquired our business, stating that the Mother Superior was much engaged. I said that we could not communicate the purport of our visit except to her, upon which they retired, having first requested to be present at the interview. Again we were left alone for about a quarter of an hour, and had ample time to canvass the dress and the manners of the Sisters of the Benedictine Order of Nuns. What we both remarked, apart from their picturesque dress, was the total absence of soul or animated expression in their faces. There was a coldness and want of feeling in their manner which comported well with the appearance of the place, but it failed to impress or interest us in their behalf. If there was happiness in their hearts the outward and visible sign was sadly wanting. After waiting what appeared to us a long time, Mrs. ——, the Mother Superior, entered, accompanied by two nuns. After saying that I presumed I was addressing the Mother Superior, to which she nodded assent, I told her that we had called as friends of Miss —— ——, and should be glad to be permitted to see her. She immediately replied that —— —— was not there, as she had left the convent several months before —early in May. I affected surprise, and inquired where she had gone to. Without hesitation she replied that she left there for a convent at Staplehill, near Wimborne, Dorsetshire; that she was not very well, and thought a change would be desirable. I expressed regret at not seeing her, and inquired particularly about her health, and whether she had heard from her. 'Oh, yes,' she replied, 'I have received several letters from her, in which she describes the happiness which she enjoys in her new abode, and thanking me repeatedly for the undeviating kindness which she experienced while being here; the undeviating kindness'—repeating the words, but addressing me—'perhaps you would like to see her letters, she writes in such excellent spirits.' I thanked her for her courtesy, but assured her it was sufficient to know from her that my friend was happy, and again in the enjoyment of health. Alluding again, to her leaving there, the Mother Superior said that Miss —— seemed to like a change for she had been in several convents. After taking down the address, in case I might wish to write to her, we retired, thanking the Mother Superior for her kindness; for the object of the visit being accomplished, so far as it could be, I was desirous of avoiding any questions, as they might have been inconvenient to answer."

According to the directions received from Mr. Justice Wightman, all these facts were reported to him, and he desired that the persons engaged in the inquiry should proceed to the convent of Staplehill, near Wimborne, in Dorsetshire. They were the aged general officer who first saw the nun, his wife—a lady eminently qualified for the mission of charity which she undertook —and the gentleman who had written the account. They found at Staplehill a convent of apparently a totally different description. They had an interview with the nun, which the narrative from which I have these extracts describes as follows:—

"So I said 'Miss ——, I have no time for trifling. When I tell you that for months past I have had but one object in view to serve you, and if possible to come to your rescue, and to accomplish this interview it has cost me nearly one hundred pounds in my efforts to trace you, I think you will admit that, although I am a perfect stranger to you, I am at least entitled to your candour.' I shall not easily forget the earnest look which she gave me. 'Oh, how can I thank you enough,' she replied; 'I did not know I had such a friend.' . . . I then particularly inquired what her wish was, as if she still wished to leave the convent there was no law to prevent her doing so; and I promised her immediate assistance if she was confined against her will. 'No,' she said, 'I have no wish to leave now. Since I came here I have been treated so kindly it would be ingratitude in me to leave. The nuns here have treated me like a sister. No, I cannot leave now.' Again she repeated, 'No, I cannot, I must not leave now. I embraced the convent life and took the veil at the early age of eighteen, with the earnest desire of devoting my best years to God, and serving Him in a way I then considered most for His glory, and I cannot now turn my back upon Him.' I saw that her resolution was taken, and that it was vain to attempt to shake it. It appeared likewise to be a relief to her, as if she had now time to arrange her thoughts, and she quietly said, 'What could I do if I left; all my relations and friends are Roman Catholics, and they would turn their backs upon me, and what do I know of life?'."

Now, this is a happy conclusion. This nun, who, according to the description given in the affidavits, was, at the period of her escape, emaciated, terror-stricken, who had clambered over a wall and dropped nine or ten feet from it, who had fled across the fields, been pursued, captured and returned to the convent, is found here completely changed in appearance, comfortable, and happy. But, Sir, this is not the whole of the case. It will naturally be inquired why this nun should have escaped. And after it was known that the protection of English law would be extended to the inquiry by the authority of the Court of Queen's Bench, facts came out of which I will now give the House an indication. After the conversation with this nun at Staplehill had proceeded to the point I have mentioned, the person authorized by the Judge to make the inquiry, says—

> "I then informed her of the many affidavits which had been prepared with a view to obtaining a writ of *habeas corpus* if I had been denied that meeting, which very much astonished and amused her, and that very important evidence had been obtained respecting certain doings in the convent at Colwich. I carefully marked the expression of her face, which at once assumed a very thoughtful aspect. I said, 'Miss ——, it has been stated to us on oath that there are certain subterraneous cells at the convent called grottoes; have you seen them?' She was silent. I asked again, 'Do you remember a girl named ——?' She thought for a moment, and then asked if she was not a scholar in the convent school; she thought she had some recollection of her, but it was several years since she was there. I then said that the late scholar had stated that she had seen a nun put into a cellar under the convent, and that she was found dead there; and I asked, have you any knowledge that such was the case?' She remained silent. I say that silence was equivalent to an admission, and asked again, 'Have you ever seen a nun put into a cellar?' Again she was silent. I did not press her further again on this point, as her resolute silence was to all of us sufficient proof of the truthfulness of the scholar's statement."

That statement was, and it stands in the affidavits, that the greatest severities were practised in that convent — that she had seen nuns imprisoned—that she had known them to be kept short of food — that she had seen one nun forced down into this underground cell—that to the best of her belief she never came out alive—that she attended the service at her funeral, and saw her consigned to the grave in the convent burying-ground. Now this evidence is corroborated by a large part of the evidence given of the twenty-seven witnesses who were examined upon the subject. It was proved that there were more burials within the precincts of the convent than appeared in the register of deaths. It was proved that coffins were seldom made outside the convent, but that rough carpenters were employed within the establishment to make packing-cases, without any of the usual appurtenances, in which the bodies were committed to the grave. It is known that the most malignant threats were used by persons connected with the convent against the production of the slightest evidence. It is a fact, that, until Inspector Field came down, few of the witnesses who signed the affidavits could be induced to speak. I now ask whether I have not stated enough to induce the House to grant a Committee to ascertain the character of these establishments. The convent at Colwich, down to the year 1857, was a cloistered convent of one of the severest Orders. The convent of Wimborne seemed to be a happy home; but what does that prove against the necessity for inquiry? Nothing; if there be other convents which realize and deserve Liguori's description, and are real "hells upon earth" to unwilling nuns! Such are the facts I am prepared to prove by the production of the affidavits. I ask the House respectfully to grant this Committee, for the purpose of ascertaining the locality, the character, and the increase of these establishments. I do not ask the House to appoint this Committee for the purpose of even suggesting a remedy, but in order to furnish the House with information which might enable it in its wisdom to devise some means for the better protection of those who, in too many cases, are, I fear, helpless women.

MR. WHALLEY seconded the Motion.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the existence, character, and increase of Monastic or Conventual Societies or Establishments in Great Britain,"—(*Mr. Newdegate,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. HENNESSY said, that in his concluding sentence the hon. Gentleman the Member for North Warwickshire told them he did not ask for a remedy for the grievances of which he complained. That was not surprising, because all the stories which the hon. Member had repeated to the House, however marvellous in their nature, presented this common feature—that the laws of the land, as they now stood, provided an ample remedy for every grievance they disclosed. Take the last case on which the hon. Member dwelt, and which he told them was the most important ever brought before the House. What were the facts? A young lady, the hon. Gentleman said, was confined against her will in a convent. Some persons, whose names they did not know, went to Mr. Justice Wightman and applied for a writ of *habeas corpus*. The Judge said to them, "If you lay before me an affidavit that you have endeavoured to see this young lady and have failed to do so, I will grant the writ at once, and you will be able to see her." They accordingly proceeded to the convent, asked to see her, saw her, and had a long conversation with her, part of which had been read by the hon. Gentleman. The hon. Member said these persons were commissioned by Mr. Justice Wightman. Nothing of the kind. Mr. Justice Wightman told these anonymous gentlemen that their first duty was to prove to him, in the ordinary process of law, that they had sought for and been refused admission to the convent—that they had wished to see the young lady, but that the authorities of the convent would not allow them to do so. Well, they went; and even from the story which the hon. Member had told the House—taking the one-sided version of it which these anonymous persons gave—it was perfectly evident that the law of the land was quite strong enough to remedy the grievance of which he complained. But the hon. Member pursued a course that night identical with the one he followed last year and the year before. He had adduced cases which, on his own confession, were still before the courts of law or were to be brought before those courts, and he had gone into certain portions of them, discussing them, and giving one-sided accounts of that which he admitted was to be taken for adjudication elsewhere. Why, what occurred last year? Then the hon. Gentleman brought before the House the case of Mr. Smee and Father Hutchinson of the Oratory. Mr. Smee, whose petition the hon. Member presented, complained that Father Hutchinson made a will on his deathbed, being of unsound mind, by which he gave his property in charity; and the hon. Member endorsed these statements, told the House that father Hutchinson was not of sound mind, that he had been unduly influenced by the priests of the Oratory, and at the same time stated that the case of Mr. Smee and the priests of the Oratory was pending in a court of justice; notwithstanding which he gave his own version of the case to the House, and leading articles appeared in some of the papers taking the hon. Gentleman's view of the matter. But what happened? The case was tried in the Probate Court; it was there ably argued; the most complete evidence was given on each side—and what was the result? A jury, composed of twelve Englishmen—twelve Protestants—unanimously came to the opinion that the case had not been made out, that Mr. Smee's statements were false, and Mr. Smee himself was condemned in costs. Well, the hon. Member told them of Miss M'Dermott's case, which he said was also to be brought before a court of law. Why, it had been before a court of law. The magistrates of the metropolis had already investigated it. They had gone even far beyond the ordinary course of investigation; Mr. Selfe and another magistrate had inquired into it, and it had been inquired into, not in public court only, but also privately; and what was the result? The hon. Member for Peterborough (Mr. Whalley), who in all these proceedings was associated with the hon. Member for North Warwickshire, attended at the police-office, and himself heard the magistrate dismiss the case. The fact was that the more these cases were investigated by a competent tribunal, and with the full power which the law of England gave, the better. But he asked the attention of the House to the Motion which the hon. Gentleman had put on the paper. It was now ten or eleven years since a similar Motion was made in that House by Mr. Chambers, and since then events had occurred which had materially altered the public feeling in England on the subject to which it related. At that period the table of the House was covered with petitions in favour of the Motion, and public meetings had been held all over the country in favour of it. The people of England at that time, actuated, he believed, by very blind and ignorant prejudices, did think that a Committee of Inquiry, which should investigate the existence, number, and character of conventual establishments, was necessary. But then they knew very little about those institutions. Very soon after that, however, they began to hear something about nuns. At the time of the Crimean war their conduct and practices came to be talked of in that country; and, speaking from the Treasury Bench as a Minister of the Crown, Mr. Sidney Herbert gave to the House his opinion of the character of these ladies. The people of England, he believed, were very much influenced by what they then heard and saw on that occasion. There were, he believed, at that moment sitting in the House some gallant Officers who had seen those ladies in the Crimea, attending on our wounded soldiers, and who could bear testimony to their character. But in addition to that, something more had happened. About the same time the conventual institutions in England which were in any way connected with education were placed under Government inspection; and in the Report of the Commissioners on Popular Education, which was composed of the Duke of Newcastle, Sir John Coleridge, two clergymen of the Church of England, and three other gentlemen, who were also members of the Church of England, he found it stated—he would not read all they said, but would quote a single sentence from the Report—they stated that the Roman Catholic female training schools were supplied with students of a very much higher class than the male schools, the teachers being for the most part members of religious communities, and immeasurably superior to those who taught in the male schools. Such was the opinion of the Commissioners on Popular Education in England. And last year a blue book was published, which gave the fullest information with respect to all the conventual institutions in Ireland, to which also the Motion of the hon. Member related. And what did the Government Inspectors say in reference to those institutions in Ireland? On the question of the moral training given in those establishments—and that was the only point to which he would at present allude—the Protestant and Presbyterian officials of the Government—and he would quote from their evidence alone—distinctly said that the moral training in the nuns' was greatly better than that in the lay schools. The Sisters of Mercy had a school in Newtown, in Galway, and Mr. Simpson, the Inspector, who was a Presbyterian, spoke of the moral training there as being superior to that of other schools, as a natural consequence of the children associating with the Sisters. Another Presbyterian Inspector made the same statement with respect to another school in the county of Galway; while similar evidence was given by the Protestant Inspector of National Schools in the King's County, as well as by others in the north of Ireland. Mr. Kennedy, referring to a school in Sligo, said, "There are eight nuns employed here, and I consider there is no school in the district in which the moral training is so effective or so good." Such testimony was, he thought, sufficient to show that the hon. Member for North Warwickshire and his hon. Friend the Member for Peterborough, really only represented their own views on the present occasion, and not the sentiments of anybody who was acquainted with the facts of the case, or who had such ample opportunities of arriving at a sound judgment as the Government Inspectors. The hon. Gentleman, in the frequent allusions which he made to the Fathers of the Oratory last year, repeatedly asserted that they had acted in violation of the Emancipation Act of 1829. [Mr. NEWDEGATE said he stated that they might be technically within the law.] Well, then, the hon. Gentleman must have changed his opinions on the point since last year. The decision in opposition to his views, which had been given by Sir James Wilde, in the Probate Court, and the charge which he made to the jury in the case of Mr. Smee, had, perhaps, opened his eyes; because that learned Judge had clearly shown that the statements which had been made by the hon. Gentleman in that House had no foundation whatever in law, and the jury immediately found a verdict in favour of the Fathers of the Oratory. All he could say was, that he was not surprised the hon. Gentleman had again come to that House, because in the courts of justice he had been completely baffled and beaten, and his statements found to be mere idle fabrications. He could not, he might add, compliment the hon. Gentleman on his historical research. His historic anecdotes reminded him of the advice given by Lord Chesterfield to his son, when he told him that certain stories were so extraordinary that even if he believed them to be true, he would advise him not to repeat them, for if he did so, people would begin to entertain doubts of his veracity. He should, therefore, pass over the anecdotes of the hon. Gentleman, as the inventions of those anonymous gentlemen who supplied him with his information; and as to some extent, no doubt, the result of those long consultations which he held with the hon. Member for Peterborough, for for some time past they were to be seen in every hole and corner, putting their heads together, and comparing notes for their present great campaign. And what was near being the upshot of those deliberations? Why, that when the

Motion was put from the Chair, it happened that the hon. Member for Peterborough was out of the House, and there seemed at the time to be a prospect of the debate coming to an abrupt termination. However, the hon. Member rushed to his seat and seconded the Motion just in time. But, be that as it might, the Motion was one for inquiry—in the first place, into the number of conventual establishments; and why was it, he should like to know, that the hon. Gentleman asked for information on that point? He told the House that he had got all the statistics on the subject. Where did he get them? As a matter of fact, the number of those institutions was elaborately set forth in the *Catholic Directory*, while their character could be ascertained from any person acquainted with them—and they were many—of whom he might choose to make inquiry. What the Motion of the hon. Genleman meant, so far as it related to inquiry into the "existence" of conventual establishments, he could not understand. That they existed was a well known fact, and there could be as little doubt that their existence was in accordance with law. But the truth was that what the hon. Gentleman wanted was not a specific remedy for a specific evil—what he was aiming at was to raise the popular indignation, of which he spoke, against those ladies who passed their lives in educating the poor, attending the sick, and performing acts of charity, who had never done the hon. Gentleman or anybody else the slightest injury, and in making out a case against whom he had, so far as the feeling of the House was concerned, signally failed, as he would also, he had no doubt, fail in the country.

Mr. NEATE said, he desired to explain that he found he was mistaken in intimating to the hon. Member for North Warwickshire that in France the State possessed a control over the conventual establishments of that country which it did not possess here. He was formerly under the impression that the Government possessed and might exercise the right of inspection and visitation of convents. In this, however, he found he was mistaken. The fact was that in France there were several sorts of conventual establishments, some which were authorized, and some which were not. Those which were authorized came under inspection, but enjoyed corresponding advantages; for it was only convents belonging to this class that were entitled to the benefit of any bequest made in their favour; bequests to those which were unauthorized being simply null and void. It might be true, as a general rule, that the State did not claim any right of inspection or visitation; there was, however, one class of convents over which, under a law of 1809, the State did exercise the right, and that was "the Hôpitalières." The conditions imposed upon that order were that novices should not take vows till after sixteen, and then only for a year; and when they became twenty-one they could take the vows only for five years. But though no habitual right of visitation might exist, it must be remembered that in a Roman Catholic country convents were in connection with, and subordinate to, the civil power — they were subject to the bishops, who in France were to a certain extent State functionaries, and in the case of the particular convents he had referred to no vows could be taken except in the presence of the bishop and some civil officer, who made a registry of the vow. In France, also, there was the greatest facility for obtaining dispensations from their vows on the part of those who wished to be released from them. The House had yet to be told what were the vows taken in this country, with what awful ceremony rendering them more binding on the conscience they were entered into, and what was the minimum of age at which they could be taken. Unless these points were cleared up on undoubted authority, the House was entitled to information, and had a right to demand inquiry. He should like to have these subjects considered in connection with the law recently passed disallowing oaths, except those administered on legal authority and for a legal purpose. Everybody knew that formerly it was quite a common practice for a man who had made some bet to go before the Lord Mayor and swear that he had swum across the Hellespont, or jumped twenty-one feet, or something of that sort, verifying his assertion by an oath. The law had now forbidden that; and what he wanted to know was why it did not interfere in the case of these oaths taken by young men and young women—why, at least, it did not insist upon knowing what these were. At the same time, in supporting this Motion he disclaimed any intention of casting any general imputation upon the Roman Catholic religion. He willingly recognized that among the inmates of those asylums there was much virtue, and much good service to humanity had been rendered, and he was actuated by no hostility towards them whatever; but the object of the Motion was to extend to members of that body the protection which the lay members of their own communion, from undue and perhaps excessive reverence for members of the priestly order, failed to insist upon. He did not deny that on the whole the English conventual life was all that conventual life could be; but the hon. Member for North Warwickshire had brought forward many cases of oppression for which the law provided no remedy whatever. It was all very well to say that the friends of a young woman, oppressed or kept in a convent against her will, could obtain a *habeas corpus*. But how were they to know that she was oppressed? What were the regulations? If she wrote to her friends, was she not obliged to let the Superioress see her letter; and would any Roman Catholic gentleman say that she could receive a letter without communicating its contents in like manner? In that way it was quite possible that much wrong might be done and much oppression practised. It was for those who were acquainted with the facts to give the answer, and therefore he should support the Motion.

MR. WHALLEY said, the hon. Member for the King's County (Mr. Hennessy) had deemed it important to associate him with the hon. Member for North Warwickshire, and he thought it was due to the House that he (Mr. Whalley) should explain somewhat of their respective relations. There was no Member of that House who had greater admiration for the just weight, the ability, and the natural influence that the hon. Member for North Warwickshire exercised in the debates in that House; but, at the same time, he must say that very few Members of that House had less communication than that hon. Member and himself. It was certainly unfortunate that those who took the Protestant views which were entertained by himself and the Member for North Warwickshire and by the late Member for that division (Mr. Spooner) should be in so different a position from that of the hon. Member for the King's County and those associated with him, who were compactly organized and backed by great resources. ["Oh!"] Scarcely a day passed without some addition to their funds. The hon. Member for North Warwickshire told the House not long since of a case in which £40,000 had fallen into their hands—that day he saw in the newspapers that it was £90,000. He had taken some pains to ascertain how much that party obtained from the public purse in support of their particular views, and he found that it was not less in the aggregate than £1,000,000 a year. Meanwhile, what was the position of the party represented by the hon. Member for North Warwickshire and himself? It was scarcely possible to imagine a wider gulf than divided them upon most questions. The principles on which the hon. Member for North Warwickshire and his late Colleague proceeded in this matter were different from those by which he (Mr. Whalley) was influenced; he placed his reliance not upon any ability he could bring to bear, but upon principles which some Members of that House were presumed to represent—the principles of civil and religious liberty. He thought that the Roman Catholics designed to increase their endowments, and to overthrow that Church of which the hon. Member for Warwickshire was so prominent an advocate. He considered that when such abuses as had been brought forward could be shown an appeal to the Government ought not to be made in vain. It was characteristic of the Roman Catholics in this country that they took a special delight in defying the law. The hon. Member for the King's County said, "all these things can be remedied by law;" but he (Mr. Whalley) said they could not. The hon. Member said, "The law is open." But these institutions had assumed such a position that it was almost impossible that the law could be vindicated in respect of any abuses committed in them. As to the M'Dermott case, he could state of his own knowledge that Father Charles Bowden had induced a young lady, whose age was somewhat in question, but who was either sixteen or seventeen, to leave her home. The mother applied to the magistrate, but as she could not state that the girl at the time was under sixteen years of age the magistrate could give her no redress; but he sent for Father Bowden, who admitted that he had to a certain extent induced the girl to leave her home, for which, if the girl was under sixteen, he was liable to three years' imprisonment. That was the observation made by the magistrate on Mrs. M'Dermott applying for redress. He gave him a reprimand, which he believed was approved of by the general voice of the country. Three days afterwards the mother again applied to Mr. Selfe; but on that occasion Mr. Selfe, having consulted with Mrs. Selfe, he (Mr. Whalley) wished to know whether Mr. Selfe had not also consulted with the Home Office on that occasion. Mr. Selfe having had an interview with the girl handed her back to the care of Father Bowden and his coadjutor nun, telling the mother that she ought to be perfectly satisfied that her daughter was placed under such care. Now, he wanted to know whether the House ought to refuse an inquiry, under such circumstances, into institutions to which magistrates sent girls like Eliza M'Dermott. Were magistrates to be at liberty to send persons to those conventual institutions on information supplied by priests and nuns, who came before them privately? If they were, surely the nature of those institutions was a proper subject to be inquired into. He wished, therefore, to know whether the Home Secretary was prepared to justify the conduct of Mr. Selfe in sending the girl back under the charge of Father Bowden and his nuns, without affording the mother an opportunity of making an explanation in answer to the different scandals that had been uttered against her? ["Divide!"] He begged the forbearance of hon. Members for a few minutes. Subsequently the mother applied to Mr. Arnold, the sitting magistrate at the Westminster Police Court. ["Divide!"] The hon. Member for Lincoln (Mr. Seely) reminded him of the necessity of a division. He begged to call the attention of the hon. Member and also of the hon. Member for Maidstone (Mr. Buxton), who also appeared anxious to divide, to the letter which Her Majesty had directed to be written on behalf of the safety of railway passengers. Now suppose Her Majesty were to ask the right hon. Baronet what had become of Eliza M'Dermott and of Mary Ryan, whose screams on the pier of Dover had attracted the notice of the public? If the House would not permit the facts of such a case as that of Mrs. M'Dermott to be laid before them what would the public think? ["Divide!"] Well, he could stand there and protest against the interruptions of the hon. Member for Lincoln or of any other Member who interrupted him in pleading the case of the widow. He wished to call the attention of the right hon. Baronet to the conduct of Mr. Arnold on the occasion of the second application of Mrs. M'Dermott for redress, and the House would see that the statement of the hon. Member for the King's County was not justified. He (Mr. Whalley) was present on the occasion, and heard the mother state, on the authority of the registrar of the Lying-in Hospital, Dublin, that the girl was not sixteen; thereby proving the fact which, according to Mr. Selfe, rendered Father Bowden liable to three years' imprisonment. Mrs. M'Dermott on that occasion produced the register, but Mr. Arnold—the same gentleman to whose conduct he had called attention last Session—refused to hear more evidence. The court was crowded by persons that the mother had brought to prove that Father Bowden had sent a man with a letter urging the girl to leave her home, and that she was under the age of sixteen at the time. Mr. Arnold refused to hear more evidence, and said not only that there was no case for a summons against Father Bowden, but that in his opinion Father Bowden had nothing to do with the abduction of Eliza M'Dermott. Hon. Members ought to raise their minds to the consideration of the general state of the law, not to the mode in which it was administered. He himself was not able to raise the mind of the House. Every Member ought to consider the conduct of Mr. Arnold in refusing to hear evidence, though he must have known the language addressed by Mr. Selfe to Father Bowden on the subject. Notwithstanding that Mr. Arnold said that he was of opinion Father Bowden had nothing to do with the abduction of the girl. Would the right hon. Baronet justify an *obiter dictum* of that kind by the magistrate? The case of the girl in question was not the only one in which the Brompton Oratorians defied the law. He had got a Return last year with regard to the registration of such institutions as required by Act of Parliament. He knew nothing of Smee's case, but he knew the Act required all such institutions to be registered, and he believed that the thirty priests who belonged to it, and who roamed all over Brompton, were persons who were prohibited from residing in this country. The right hon. Baronet knew that he had failed in his duty in allowing such an institution to exist without being registered. These institutions were a standing defiance to the law of the land. ["Divide!"] Not one of the fifty-six similar institutions were registered. The influence of the Oratory extended over the whole district of Brompton, and the Westminster Police Office was the only place to apply for the protection of the liberty of the subject. Mr. Arnold ought to have known this. There could be no doubt that Mrs. M'Dermott was a person of unimpeachable character, but as she had not continued to conform to the views of the Roman Catholic priests she became an object of persecution. One confessor, Father Gloag, got possession of her children, in the hope of getting rid of her. To effect this Gloag had produced the son to prove her mad, and thus to get possession of Eliza. That scheme failed. Another effort was made to get rid of the woman. He spoke from a petition which had been presented a few days ago, but which was too long to read. Mrs. M'Dermott was a remarkable woman—a woman of great force of character, and would have been a match for the priests if she had had an advocate in that House. Finding one scheme fail the priests concocted another, and carried away her three children, at four o'clock in the morning, to the workhouse, on the pretence that she had neglected them. This was in 1849. Mr. Paynter, the magistrate, caused inquiry to be made. A policeman came forward and said that she was a drunken woman, when the reverse was the fact, and Mr. Paynter, without hearing her, committed her to prison for seven days. A mingled system of terror and force characterized the Brompton Oratory. The whole machinery was contrived to supplement the efforts of these nuns and monks. They had heard of bequests to them of £40,000 one day, and of £90,000 another day. Now, he believed they had associated with them the expelled monks and nuns of Italy. The public had no protection against such a system. He believed there were five different cases not less atrocious than that of Mrs. M'Dermott. And yet they were allowed to reside at Brompton, lording it over the people, who had no other protection than what such police magistrates as Mr. Selfe and Mr. Arnold could give them. He would now address himself to the case of Mary Ryan. A few days ago a report had been sent to the Home Office by a gentleman who stood high in his profession—Mr. Collette—giving the result of a visit he paid to Mary Ryan at Bruges. That gentleman reported that he had seen Mary Ryan, the girl whose screams at Dover had attracted notice, and that she did not appear to him to be mad. That gentleman reported that he saw her in her natural state—that was, in her natural state at that time—and that though she was low and desponding, her memory was clear and accurate, and that she said she was taken from England on a representation that she was going to be sent to her friends. That gentleman further stated that though she did not appear to be mad in the ordinary sense, she was exceedingly distressed, and in a such a state that would make every Englishman desire to rescue her from it; and though he thought she was not mad, he feared she might become mad or die, or something of that kind. Having taken the document to the Home Office he had to acknowledge the utmost possible courtesy from the officers of that Department. He then ascertained that a Commissioner had been sent over to inquire into the state of the girl. Since he entered the House he had seen his Report. It confirmed very much the statement of Mr. Collette, but the Commissioner took on himself to say that no doubt when she was carried away and brought over there she was in a state of acute mania. Where did the right hon. Baronet find a Lunacy Commissioner of such extraordinary ability as to discover that? Dr. Hearne, a person who occupied a high position in the Catholic Church, wrote to the newspapers, stating that the certificate of Mary Ryan's acute mania, and her being a proper subject to be transferred to a lunatic asylum, was signed by Dr. Millar; but it now turned out that Dr. Millar had never signed any such certificate, and the right hon. Gentleman (Sir George Grey) had allowed himself to be the dupe of this Dr. Hearne, who stated that which was a deliberate falsehood. ["Divide!"] He would not offend the House by replying in detail to what the hon. Member for the King's County had said about the general administration and moral discipline of the nunneries. It had been said by the hon. Member for North Warwickshire that if matters were allowed to go on as at present the people would rise some day and pull down one of these institutions stone by stone. He hoped there would be a calm and dispassionate inquiry, and that something would be done to amend the existing state of things. He refrained from saying what he knew of the horrors that were perpetrated in these establishments. Now, he held in his hand the translation of a book paid for by the country to the extent of some thousands a year, and which formed the basis of the education at Maynooth and the convent schools. ["Read, read!"] The time might come when it might be necessary to comply with the suggestion of hon. Members, and read the contents of the book; but the time had not yet come. If, however, the House could not be induced to give its attention to the circumstances under which Mary Ryan was carried away, and under which the widow M'Dermott was deprived of her daughter, while an attempt was made also to deprive her of her life, certainly of her liberty, he (Mr. Whalley), whatever obloquy might attach to him, and though disastrous moral consequences might ensue, would make public the contents of the book which he held in his hand. For such attention as the House had been pleased to give he returned his thanks, and he most earnestly implored them to agree to the Motion.

SIR GEORGE GREY: Sir, I can assure the hon. Member for Peterborough that I had no desire to stand in the way of his addressing the House. The hon. Gentleman began by saying that there was an impassable gulf between himself and the hon. Member for North Warwickshire, who brought forward the Motion; and I believe the House must feel that there is a wide distinction between the mode in which the latter dealt with the question and the tone adopted by the hon. Gentleman who spoke last. The hon. Member for Peterborough recommends calm and dispassionate inquiry—but his speech was hardly an illustration of the temper of mind in which the question ought to be discussed. Before dealing with the general subject, I will reply to the questions which the hon. Member has addressed to me. He says he holds me responsible for every act of every police magistrate within the metropolitan district—and he especially referred to what was said and done by Mr. Paynter in 1859, when I had not the honour to be Home Secretary. I need scarcely say I cannot accept such responsibility. The hon. Member also asks me to condemn the conduct of Mr. Arnold. I cannot do so. The case in question has not come before me in any shape. I saw the reports in the newspaper, as everybody else did, but I had no reason to suppose that Mr. Arnold did not on that, as on every other occasion, discharge his duty in the most conscientious manner. Again, the hon. Member asks whether in the M'Dermott case Mr. Selfe communicated with me? He did not—there was no occasion for his doing so. The case came before him for his judicial interposition, but it proved to be one in which he could not interfere as a magistrate. He then dealt with it in an extra-judicial manner, as might be inferred from his having consulted Mrs. Selfe, and from humane motives he endeavoured to ascertain for Mrs. M'Dermott where her daughter was, and whether the girl was under any restraint. But no communication took place on the subject between Mr. Selfe and the Home Office. The hon. Member further says I am responsible for the omission to enforce the law requiring the registration of the Brompton Oratory. I am not aware of the existence of any Act by which such institutions as the Brompton Oratory are required to be registered. By the Catholic Emancipation Act all members of any religious order bound by vows or oaths are required to register themselves within six months after coming to this country. There is no law, however, that such a place as the Brompton Oratory shall be registered. I have no knowledge on the subject; but I have been informed, on what I believe to be good authority, that the members of the Oratory are not bound by any religious vows, and therefore do not come within the scope of the statute I have mentioned. If the hon. Gentleman knows that these persons are bound by such vows, he could have brought the matter under the notice of the Attorney General, in order that proceedings might be instituted, if there was any ground for them, or evidence to support them. The case of Mary Ryan has really nothing to do with the subject of this Motion. The illegality committed in this instance was not because she was a member of any conventual establishment—the sole illegality was a forcible abduction of the person—not necessarily of a nun but of any person—and amounted to an assault, for which the offenders were criminally responsible. It had nothing to do with the religious character of the person concerned. The papers on the subject have been laid on the table, and it would only have been fair if the hon. Member had stated that Mr. Wilkes, one of the medical members of the Board of Lunacy Commissioners, who saw the girl and examined her condition, reports as follows:—

> "In my opinion, Mary Ryan is still of unsound mind, labouring under a very common form of melancholia, with a suicidal tendency. I also think that she is not in a state to be safely taken care of out of an asylum."

It also appears that every person actuated by benevolent motives, or sent by the Government, received every facility in visiting the girl, and that she is treated with kindness and consideration, and the only reason why she was not brought back to this country—a course which both the Belgian Government and the managers of the institution would gladly have acquiesced in—was that her state was such as to render it probable that her removal would have exposed her to a renewed attack of mania.

With regard to the general question, I cannot help expressing my regret that after the interval which has elapsed since this subject was last before the House it should have been revived by the hon. Gentleman the Member for North Warwickshire. I implicitly believe the hon. Gentleman's assertion that he is not actuated by any religious bigotry, but is only acting in what he regards as the honest discharge of his duty, and I also believe that he represents the opinions of a very large number of persons in this country; but, with the recollection of what has before taken place in this House, I do not think that he is acting judiciously in pressing such a question upon its attention. In 1853 Mr. Thomas Chambers, who is no longer a Member of this House, brought in a Bill which led to very long discussions. It was founded upon, I think, the same assumption as the present Motion—namely, that many persons are subject to the undue and improper exercise of coercion and restraint in conventual establishments, and that the existing law does not afford adequate means for their relief. The Bill was lost on the second reading, and its place was taken by an Amendment, moved by an hon. and learned Gentleman not now a Member of this House (Mr. Phinn), to the effect that a Committee should be appointed to inquire—

> "Whether any and what regulations are necessary for the protection of the inmates of establishments of a conventual nature, and for the prevention of the exercise of undue influence in procuring the alienation of their property."—[See 3 *Hansard*, cxxvii., cxxviii.]

The object of that Committee was much more restricted than is that of the Resolution now before the House, but it led to a very protracted debate, and ultimately, owing to the advanced period of the Session, it dropped without any decision being come to. In the next Session Mr. Chambers, deferring to what appeared to be the opinion of the majority of this House, moved for a Committee of Inquiry. The Motion was carried by a considerable majority; but what followed? We were led into interminable debates night after night upon the question of the nomination of that Committee or upon Motions for the discharge of the Order. There were many acrimonious debates; much valuable time was lost; ultimately it was found impossible to nominate the Committee, and no practical result was derived from those discussions. That is rather a warning to us not to enter upon the course to which we are invited by the hon. Gentleman than an encouragement to expect from it any useful result. With what view is the inquiry proposed? I was in hopes that the hon. Gentleman would, according to the ordinary practice of Parliament, have shown that he asked for inquiry with a view to some practical legislation. We do not appoint Committees merely to gratify curiosity, or to obtain information which the person seeking it says that he does not desire to make the basis of Parliamentary action.

Mr. NEWDEGATE said, he stated that he desired to lay the facts before the House, and would leave it to the wisdom of the House to apply the remedy.

Sir GEORGE GREY: I think an hon. Gentleman ought to trust a little to his own wisdom when he brings a subject before the House and asks for the inquiry of a Committee, and to show that some practical result is likely to be attained, and to state that, after inquiry has taken place, he will be prepared to recommend the House to take some legislative action. The hon. Gentleman does not do that; he merely wishes to obtain the information and lay it before the House, without taking any ulterior proceedings upon it. I should like to know what the hon. Gentleman's object is. Is it the inspection of these institutions, or is it, as I rather gathered from his speech, their absolute suppression? On what ground does he think that Parliament ought to interfere in this matter? Does he believe that there are many persons in a state of absolute physical coercion and restraint in these places, and that the law is unable to provide a remedy? I know that such a belief prevails very extensively, and is held by many people much more strongly than by the hon. Gentleman himself. There was sent to me a few days ago a copy of the *Bulwark, or Reformation Journal*, dated the 1st of March, containing a paragraph headed, "Protestant Action in Parliament," in which it is stated that—

> "On the 9th of February a special meeting of the General Committee of the Protestant Alliance was held in London, when the following

Resolutions were unanimously adopted :—'That there has been a large and sudden increase in the number of conventual establishments in Britain, and at the present time there are 201 of these institutions in England and Scotland for females, containing, it is believed, many thousand inmates, most of whom are under a considerable amount of constraint, and are deprived of the liberty of quitting these establishments. That it is desirable that Parliament should institute inquiry upon this subject, and that the following petition on conventual establishments be adopted.'"

The petition repeats this statement in substance, and concludes—

> "Your petitioners therefore pray your honourable House to institute an inquiry into the existence and condition of monastic and conventual establishments, and to take such means as shall secure the due observance of the law and the liberty of the subject."

Now, Sir, what proof has been given of these facts, or of the inadequacy of the existing law to meet any of these supposed cases of physical coercion? The hon. Gentleman has cited several instances, but they seemed to me to show that the law is powerful enough to deal with these cases when they occur. He must know that if there is reasonable ground to suspect that any person is in confinement and kept in restraint against his will, an application for a writ of *habeas corpus* may be made on his behalf to the Court of Queen's Bench, or either of the Superior Courts of Common Law, and if it were supported by affidavits the court would at once grant the writ. I was not acquainted with the particulars of the case with respect to which the hon. Gentleman said that he had twenty-seven affidavits. [Mr. Newdegate: Nine affidavits.] One affidavit would be quite enough—and I am sure that if affidavits were made disclosing proceedings as to the illegality or criminality of which there could not be a moment's question, showing that there were in any conventual establishments dungeons into which women were forced, and from which they were not allowed to come out alive—circumstances which would justify a magistrate in ordering the police to enter the establishment and make a thorough examination—the hon. Gentleman would be the last man to put such affidavits into his pocket until he had an opportunity of bringing them before the House of Commons. He must have known as a magistrate that proceedings could be taken to ascertain the truth of the affidavits, to stop the practices complained of, and to bring the parties concerned to justice. In this country such proceedings would meet with universal censure, and general sympathy would support any person in investigating and exposing them; and I do not speak of Protestant sympathy alone. Roman Catholics would unite with Protestants to support the exercise of magisterial authority in their suppression. In these conventual establishments and colleges, ladies of rank and education are to be found, and does the hon. Gentleman really suppose that the friends and relatives of these ladies leave them absolutely at the mercy of those who have the control of these establishments, that they never visit them — that they are so dead to the natural affections which are implanted in our hearts, and so lost to the obligation of those duties which are imposed upon us as members of society, as not at any time to inquire into the condition of their relatives who have taken the veil, and that they would not be the first to seek for the investigation of any such disgraceful proceedings as are now alleged as matters of complaint? The real fact is that the evil with which the hon. Gentleman proposes to grapple—for as a Protestant I cannot deny that it is an evil—arises not from physical, material restraint, but from that moral restraint, from that obligation which is felt to bind the consciences of those ladies, and even when they may have taken the veil at an early period of life, and may afterwards repent of their vows, prevents them from availing themselves of the means at their disposal, of leaving these establishments if they like. These feelings are very much those which were expressed in touching terms by the lady at Staplehurst, to whom the hon. Gentleman referred, and who said she had taken the veil with an earnest desire to devote herself to the service of God; adding that all her relatives were Catholics and that she knew nothing of life, and asking where she should go if she left the asylum of the convent. Does the hon. Gentleman believe that any action of Parliament can reach motives of that kind—motives which, however much we may regret their existence, must still be respected? I do regret that any young person should take vows which are to last for the whole of her life; but, at the same time, I am bound to say that there are many of these establishments in which the persons who enter, devote themselves to a life, not of asceticism, but of active virtue and benevolence, employing their time in the education of the young, the reform of criminals, or other works of charity in which Protestants may well desire to emulate them. This Committee is asked for, not to inquire into the existence of convents—this is well known — not into their increase — because the hon. Gentleman has given us exact statistics upon that head, and I believe that an accurate list of all such establishments is to be found in the *Catholic Directory*, but into their character. Do you mean that it is to enter the convents, examine into their regulations, and ascertain what practices prevail in those institutions? Is the Committee to travel about the country, or is it to call before it the inmates and superintendents of convents? And if you adopt the latter course, do you think that you will find anyone who will appeal to this Committee to deliver her from the bondage in which the hon. Gentleman seems to think that all these ladies are kept? I believe such an idea is chimerical. The only thing that you can do to effect the object which the hon. Member seems to have in view is absolutely to prohibit the existence of any conventual establishments in this country. And I believe that is what the hon. Gentleman desires to do. Now, I ask, would that be either just or desirable? With regard to convents of men, they are so far prohibited by the Act 10 *Geo.* IV., that it is provided that persons in this country who had taken vows of this nature, were bound to register themselves within six months after the passing of the Act; and persons coming to this country, and who had taken the vows, were bound to register themselves within six months after they came here. With regard to future vows to be taken by members of a religious order of men, they were declared to be absolutely illegal. There is, then, an absolute prohibition existing with respect to the future establishment of convents in which religious vows are taken by men. But the hon. Gentleman says, in spite of all this, they have increased, and are increasing. Well, then, if that be so, is there any encouragement to us to go on imposing restrictions and prohibitions which it is impossible to enforce? If the hon. Gentleman is aware of the fact that in violation of the law persons have been admitted, or are being admitted members of communities bound by religious vows or oaths, let him lay the evidence upon which he founds that belief before the Attorney General, and then the Attorney General will decide whether he is empowered by law to act, and whether the evidence is sufficient on which to ground a prosecution or not. But the hon. Gentleman, perhaps, will say that the object of his Motion is to attain that end. [Mr. NEWDEGATE: Hear!] Then I say, Sir, that is an object which a Committee of the House of Commons will never assist him in accomplishing. He asks the House to appoint a Committee for the purpose of obtaining evidence upon which to found a prosecution against the persons who give it, evidence which the persons summoned before the Committee are compelled to give. Now, I ask, will the House do that? My hon. Friend the Member for Oxford (Mr. Neate) alluded to France, and said there is a class of convents there subject to visitation. But then these convents are recognized by, and are under the sanction of the State. Is the hon. Gentleman prepared to do that? If the State recognizes and undertakes the superintendence of convents in this country, we may do what is done in Roman Catholic countries. We have made an exception with regard to convents in which women live, who are bound by religious vows — we have not passed any law prohibiting them; but then we do not sanction them; we do not profess to regulate them. Will the hon. Gentleman the Member for North Warwickshire and the hon. Member for Peterborough agree to take them under the sanction of the State? If so, you can then make regulations which you cannot make now, and which it would be inexpedient to make if you refuse to recognize them. The effect of the prohibition of female convents would not be to diminish by one the number of the inmates of those establishments, but it might be to drive them abroad, where they would be further from the care of their relatives and friends, and where the wholesome public opinion of this country could not be brought to bear upon them. For these reasons I think it would be extremely inexpedient to enter upon this inquiry unless the House is thoroughly satisfied of the existence in those establishments, of physical coercion and restraint, which the law is at present unable to reach. I believe that no proof has been afforded either of the existence of such cases or of the inadequacy of the law, and retaining that opinion, I shall vote against the Motion of the hon. Gentleman.

MR. SCULLY said, he was sure the House would give him a hearing as it always did to any one who was personally concerned in the question before it. He had never listened to any debate in that House with more pain. The observations of the hon. Member for North Warwickshire had been most insulting to him and to every Catholic Member. He would not characterize the speech of the hon. Member for Peterborough. But his hon. Friend the Member for Oxford (Mr. Neate), whom he would not have suspected of such ideas, had said that he would support the Motion on the grounds that he, as a Protestant, felt it necessary to interpose in behalf of the relatives and friends of Roman Catholic Members who, out of reverence for the heads of their Church, would not interfere for the protection of their own relatives. He (Mr. Scully) would have the greatest contempt for himself if any such feeling for priest or bishop, or even for his Holiness himself, should prevent him from affording every protection in his power, not only to his own relatives, but to any other persons. He was in the habit of going to convents, he had sisters in them, and was it to be supposed that he felt no interest in their happiness? Let hon. Gentlemen only change places, and imagine themselves some thirty Protestants in a Catholic Parliament of some 600 Members, and ask themselves what would be their feelings under similar imputations. A sister of his was Superioress of one of those convents, and he would bring the hon. Member for North Warwickshire there if he wished. He would bring him to any convent he pleased—there would be no difficulty in obtaining admission. Any gentleman might do so who sent in his card; in fact, there were no private residences of any ladies into which it was so easy to get admission. He had great experience of convents, and no complaint of restriction or restraint had ever reached him. There were only thirty-one Catholic Members from Ireland in that House, and one from England, the noble Lord the Member for Arundel Lord Edward Howard, and they were, of course, in the minority. The Motion might be carried before the election, but what good would it do? If it were an electioneering Motion, what a miserable course to take upon such a question; and then it was confined to Great Britain. ["No, no!"] Yet the terms were "to inquire into the existence, character, and increase of the monastic and conventual establishments in Great Britain." But Irishmen in England and out of it would deeply resent such a Motion. It was the Catholics who would be aggrieved if such absurd stories as had got into the head of the hon. Member for North Warwickshire were true, and it was a personal imputation upon them of the most abominable kind that they would tamely submit to such abuses. Did any one suppose that he would weigh his seat in the balance against the persecution in a convent of any relative of his? The question was not what had happened in former times or in other countries. Did any one suppose that any lady now was immured in a convent against her will? If so, would it not be known to the Catholic Members, as well as to the Home Secretary, who had already professed his ignorance of any such restriction? Then there was the trumpery case of Mrs. M'Dermott. The whole facts were in the hands of the hon. Member for Peterborough, for it was he that drew up the affidavits, and he might easily see that it was a trumpery case if he only knew how to draw the right conclusion.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 106; Noes 79: Majority 27.

AYES.

Baines, E.
Baring, T. G.
Beamish, F. B.
Beaumont, W. B.
Beaumont, S. A.
Beecroft, G. S.
Bellew, R. M.
Blake, J. A.
Blencowe, J. G.
Bouverie, hon. P. P.
Bowyer, Sir G.
Boyle, hon. G. F.
Brady, J.
Bright, J.
Bruce, rt. hon. H. A.
Bury, Viscount
Buxton, C.
Cardwell, rt. hon. E.
Castlerosse, Viscount
Cheetham, J.
Clay, J.
Colebrooke, Sir T. E.
Collier, Sir R. P.
Collins, T.
Colthurst, Sir G. C.
Cowper, rt. hon. W. F.
Crawford, R. W.
Dering, Sir E. C.
Dillwyn, L. L.
Douglas, Sir C.
Duff, M. E. G.
Enfield, Viscount
Ewart, J. C.
Fenwick, H.
Fergusson, Sir J.
Fitzgerald, W. R. S.
Fitzroy, Lord F. J.
Forster, C.
Fortescue, rt. hon. C.
Gavin, Major
Gibson, rt. hon. T. M.
Greene, J.
Gregory, W. H.
Greville, Colonel F.
Grey, rt. hon. Sir G.
Grosvenor, Earl
Hadfield, G.
Handley, J.
Hartington, Marq. of
Hervey, Lord A.
Headlam, rt. hn. T. E.
Henderson, J.
Hennessy, J. P.
Howard, hon. C. W. G.
Howard, Lord E.
Hutt, rt. hon. W.
Ingham, R.
Johnstone, Sir J.
Jolliffe, rt. hon. Sir W. G. H.
Kekewich, S. T.
Kinglake, J. A.
Lawson, W.
Leader, N. P.
Leatham, E. A.
Lennox, Lord G. G.

Locke, J.
Longfield, R.
MacEvoy, E.
Maguire, J. F.
Malins, R.
Marjoribanks, D. C.
Morris, W.
Morritt, W. J. S.
Murphy, N. D.
O'Brien, Sir P.
O'Ferrall, rt. hn. R. M.
O'Reilly, M. W.
Padmore, R.
Palmer, Sir R.
Palmerston, Viscount
Peel, rt. hon. F.
Pilkington, J.
Pollard-Urquhart, W.
Potter, E.
Ramsden, Sir J. W.
Ricardo, O.
Rogers, J. J.
Russell, A.
Russell, F. W.
Schneider, H. W.
Scholefield, W.
Scourfield, J. H.
Scully, V.
Shafto, R. D.
Sidney, T.
Smith, J. A.
Smith, J. B.
Stanley, Lord
Taylor, P. A.
Tollemache, hon. F. J.
Villiers, rt. hon. C. P.
Watkins, Colonel L.
Weguelin, T. M.
Williamson, Sir H.
Wood, rt. hon. Sir C.
Woods, H.

TELLERS.

Brand, hon. H. B. W.
White, Colonel

NOES.

Anstruther, Sir R.
Archdall, Captain M.
Ayrton, A. S.
Aytoun, R. S.
Barrow, W. H.
Baxter, W. E.
Beach, Sir M.
Bentinck, G. W. P.
Beresford, rt. hon. W.
Bovill, W.
Bremridge, R.
Bridges, Sir B. W.
Brooks, R.
Bromley, W. D.
Butler, C. S.
Caird, J.
Cargill, W. W.
Carnegie, hon. C.
Cave, S.
Churchill, Lord A. S.
Clive, Capt. hon. G. W.
Cole, hon. H.
Cole, hon. J. L.
Craufurd, E. H. J.
Doulton, F.
Du Cane, C.
Dunlop, A. M.
Ewart, W.
Ewing, H. E. Crum-
Fleming, T. W.
Foley, H. W.
Gard, R. S.
Getty, S. G.
Gore, J. R. O.
Greenall, G.
Gurney, S.
Hamilton, Lord C.
Hanbury, R.
Henley, Lord
Holmesdale, Viscount
Horsfall, T. B.
Kinnaird, hon. A. F.
Knox, hon. Major S.
Langton, W. H. G.
Lefevre, G. J. S.
Lefroy, A.
Long, R. P.
Lysley, W. J.
Mackie, J.
Malcolm, J. W.
Martin, P. W.
Merry, J.
Miller, T. J.
Miller, W.
Mills, J. R.
Neate, C.
Ogilvy, Sir J.
O'Neill, E.
Papillon, P. O.
Ponsonby, hon. A.
Repton, G. W. J.
Robartes, T. J. A.
Rose, W. A.
Russell, Sir W.
Selwyn, C. J.
Smith, A. (Herts)
Smith, A. (Truro)
Somes, J.
Surtees, H. E.
Sykes, Colonel W. H.
Tollemache, J.
Torrens, R.
Vance, J.
Vansittart, W.
Verney, Sir H.
Waldegrave-Leslie, hon. G.
Whalley, G. H.
White, J.
Wyndham, hon. P.

TELLERS.

Newdegate, C. N.
Stuart, Lieut.-Col. W.

WAKEFIELD GAOL.

OBSERVATIONS.

Mr. **NEATE**, in calling attention to the recent appointment of Governor of the Wakefield Gaol, and generally to the patronage vested in Justices of the Peace, and the securities to be taken for its due exercise, said he did not wish to give any personal character to his observations, but only to refer to the Wakefield case as an instance of the defective mode in which patronage was exercised by the magistrates generally in this country. He took up the subject because, in consequence of the local animosity to which it had given rise, the Members for Yorkshire probably felt indisposed to interfere and to revive ill-feeling. For some years past public attention had been directed to the devising of some check upon the exercise of patronage by State Departments; but nothing had yet been done with regard to magisterial patronage. A vacancy had lately occurred in the Governorship of the Wakefield Gaol, which was the most important in England, and contained 400 Government prisoners, who underwent preliminary imprisonment before they were transferred to public works—besides the usual inmates of county gaols. It had been distinguished for the excellence of its management, in which the late Governor had taken a conspicuous part; but the late Governor having resigned, an advertisement was inserted in the papers calling on candidates to send in their applications and testimonials. A large sum—£300—was paid annually for the management of the Government convicts in that gaol, showing that to a very great extent it was a Government establishment. In his opinion the custody of prisoners was an Imperial duty, and even if the old traditionary rule that the custody of prisoners was co-extensive with the jurisdiction under which they were sentenced was still in existence, while the prisoners sentenced at the quarter sessions might be held local prisoners, those sentenced at the assizes must be deemed as Imperial prisoners. Attracted by the advertisements and by the emoluments of the office, nearly £1,100 per annum, the best Governors of prisons in the kingdom sent in their testimonials in the usual manner. They were referred to the visiting magistrates, who first selected eight names, including that of the successful candidate (Captain Armitage); but, on further discussion and upon personal conference, this number was reduced to five votes not including that of the successful candidate. When the election took place, 168 out of the 384 magistrates of the district were present, and the result after some rather warm discussion was that the gentleman whose name did not appear upon the list was elected by 125 votes. The successful candidate happened to be the brother of the leading county magistrate, while the Governors of several gaols were passed by. The gentleman elected had undoubtedly served with distinction in the Crimea, and had afterwards held the post of adjutant in a militia regiment, and evidently possessed the confidence and good opinion of the neighbouring magistrates. Perhaps, after a little experience, he might make a good Governor of a gaol, but the question was not one so much of positive capacity as whether the proper mode had been taken for the encouragement of those engaged in that branch of the public service. The disappointed candidates felt indignant that they had been trifled with, and had been made the laughing-stocks of the county, besides having been put to considerable expense in printing their testimonials, &c. He was aware that the magistrates of England generally acted on a different principle to that adopted by the magistrates of the West Riding — the general practice being to leave the nomination in the hands of a committee, and only to elect a candidate recommended by the committee—but he should nevertheless propose that the appointment of gaolers should in future receive the approbation of the Home Secretary, as the appointment of Chief Constable did. He did not make this proposition at the suggestion of the Home Secretary, who rather looked upon him as an officious friend, but on his own responsibility, as he thought the Governor of a gaol ought to be in a more independent position, and to feel that he was an officer of the public, not subject to the sometimes contradictory orders of the visiting justices and magistrates. If this change were not acceptable, he would suggest that the magistrates should leave these appointments to be made by a committee of justices composed of one from each petty sessions division. The magistrates appointed clerks of petty sessions, and he would suggest that these appointments should be given only to attorneys who had taken a certain class of certificate at their examination. Some attorneys passed their examination with higher marks of approbation than others, and it would be well to have regard to this circumstance in the appointment of clerks of petty sessions. In one respect he was for extending the patronage of the magistrates. He would give them the nomination of the clerk of the peace, which was now vested in the lords-lieutenant. Under all them cirumstances, he thought it would be very desirable to have an inquiry into the whole subject of the office, appointment, and jurisdiction of magistrates, and only to elect a candidate recommended by the committee.

COLONEL SMYTH could not concur with the hon. Member (Mr. Neate) in respect to what he had said about the election of the Governor of Wakefield Gaol. The charge was that it was something like a sham election, but it was nothing of the kind. He did not intend to go into the question whether or not the appointment should be vested in the magistrates. He should confine himself to the circumstances of the election which the hon. Gentleman had brought under the notice of the House. About this time last year the former Governor felt that from ill-health he could no longer fulfil the duties of the office. Advertizements for candidates were inserted in the papers, and the visiting justices were required to examine the testimonials of the various applicants. There were more than twenty candidates, and the visiting justices reduced the number to eight in the first instance and subsequently to five. The general body of magistrates were not, however, bound to confine their selection to some one out of the five names recommended by the visiting justices, and accordingly they selected Captain Armitage by a large majority. No doubt some surprise was expressed at the course taken by the magistrates. The truth was the captain's father had been a most useful and respected magistrate, and his family was well-known in the Riding. He himself had not voted for Captain Armitage, but he felt bound to say that the gallant captain was a most distinguished officer, that he had served in the Kaffir war (not in the Crimea), and for some time had acted as Governor over some small district. Sir Harry Smith had spoken of him in the highest terms. In addition to the experience which he had gained abroad, he had been for some time staying with the late Governor of Wakefield Gaol (Mr. Shepherd), so that his want of official experience in gaol management was, to some extent, compensated for by the knowledge which he had gained while on a visit to the late Governor. Since Captain Armitage entered on his new office there was but one opinion as to the remarkable ability with which he had performed his duties. He did not think it was necessary for him to say one word with regard to the conduct of the magistrates in making the selection they had made. Had they done wrong in that respect, the Home Secretary could have corrected them. [Sir GEORGE GREY: No!] He found he was under a misapprehension in that respect; but results showed that the selection the magistrates had made was a remarkably good one.

MR. COLLINS said, the hon. and learned Member (Mr. Neate) seemed to think that the executive Government only could make proper appointments, but he thought that matters might not be made much better by taking from the magistrates the patronage they now exercised and transferring it to that authority. If it were given to a Lord Chancellor, he might appoint his own son, for they had seen by a recent example what could be done in that way. If it were given to an Archbishop, even he might appoint one of his own family. He had not voted for Captain Armitage, the successful candidate; but, having made inquiries on the subject, he was bound to say that the gallant officer had given great satisfaction at Wakefield by the efficient manner in which he had discharged his duty since his appointment.

ARMY—THE ORDNANCE SURVEY.

QUESTION.

SIR WILLIAM JOLLIFFE said, he wished to ask the Under Secretary of State for War, What progress is making in the Ordnance Survey in the Southern Counties of England, and at what period he believes it probable that the Public will have the benefit of obtaining the corrected and enlarged Maps of any of those Counties, so much required, and for which there would be certain to be so large a demand? He complained that though a large sum had been expended, the South of England had not yet a map that was available for any purpose. The old Ordnance map is on a small scale, and incorrect, and is useless for the many purposes for which modern legislation requires maps and surveys. It was very undesirable that they should go on year after year with only small districts of the country supplied with maps available for purposes, which the Ordnance Survey was intended, and ought to meet. He alluded to inclosures of waste lands and other analogous operations. The last Report by Sir Henry James had not yet been laid upon the table, but from the previous Reports it appeared that the sale of the large maps had increased in proportion to the extent of country of which the plans had been published on the larger scale. Thus the Report for 1861 showed that the sale of the one-inch maps for Scotland had only realized £28, while for the larger maps £1,144 had been received. In 1862 the sale of the small maps for Scotland had produced £35, and of the larger maps £1,066. In 1863 the one-inch maps for Scotland had realized £74 and the large maps £2,644. The sale of the maps for Scotland and Ireland had been greater than for the small part of England which was published on the larger scale. In 1863 there were only three English counties surveyed on this scale, and it was only when the important parts of the country were dealt with that the Government could expect to derive any remuneration for the enormous outlay in that work. No time ought to be lost in their publication, and not even the transcript of the Doomsday Book ought to distract the Ordnance Department from this important work.

THE MARQUESS of HARTINGTON said, that the Report in reference to the Ordnance Survey would be in the hands of Members next week, and would give detailed information of the progress made in the surveys, and in the publication of the Ordnance Maps. The survey in the counties south of Middlesex was progressing, and no time would be lost in publishing the map. It was quite plain that the map could not be published until it was made, but the two operations went on simultaneously, and as soon as the survey of a particular district was brought to a certain point the publication of the map was not delayed for a moment. He could not, however, state how long it would be before the whole of the South of England would be surveyed. If the sum taken in the Estimates were increased the work would be of course accelerated. The whole of the money taken for the Ordnance Survey was expended on it. The expense of the work done with reference to the Doomsday Book was not paid out of the money given to defray the expense of the survey, but was paid out of funds provided by the Treasury. He hoped the Report would be ready in a few days, and it would show more accurately than he could what had been the progress of the survey.

Main Question, put, and *agreed to.*

SUPPLY.

SUPPLY *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Monday* next.

BRITISH KAFFRARIA (*re-committed*) BILL. [BILL 45.] COMMITTEE.

Order for Committee read.

MR. ARTHUR MILLS wished to put a Question to the right hon. Gentleman who had charge of the Bill, which, through an inadvertence, he had no opportunity of asking him on the second reading. The Bill, as he understood it, was not intended to be contingent on the action of the Cape Parliament, but was meant to take effect whether the Cape Parliament should or should not adopt its provisions. The right hon. Gentleman was well aware that a similar measure had once been proposed to the Cape Parliament and rejected; and he was also well aware that it was opposed by a very large proportion of the inhabitants of British Kaffraria. The right hon. Gentleman had, he understood, said that the main object of proposing the annexation of that small territory of 8,000 or 10,000 square miles to the Cape Colony was that he wished to give an inducement to the colony to undertake the defence of that territory, and that hereafter we should have a ground to expect that the colonists of the Cape of Good Hope, having representative institutions, would be ready to defend that frontier. Now, he wished to ask the right hon. Gentleman whether, if the Imperial Government took upon itself, in spite of the expressed wishes of the Cape colonists and of the inhabitants of British Kaffraria, to unite these two districts against their will, he thought he would have a good ground for appealing to the Cape Parliament hereafter to protect its frontier in the event of any disturbance arising? About 1850 the district of British Kaffraria was made a separate colony by letters patent, which were again issued in 1854 and 1860, and it was now proposed to annex it to the Cape for the sake of political convenience, and because, being a frontier district, and its defence being thrown on the Imperial Government, we might hereafter have a fair ground to claim that the Cape should bear a share of the burden of its defence. Hitherto, with the exception of raising the Cape Mounted Police, the Cape had entirely depended on the Imperial Government for its defence. We knew, unfortunately, what Kaffir wars were, and a fresh outbreak might occur. There was the Chief Kreli, who was by no means always quietly disposed; and beyond the frontier of the Cape we had a district under a kind of semi-Imperial jurisdiction. Should we unhappily have any disturbance on that frontier, and the risk of another of those Kaffir wars which generally cost about a million or two sterling each, would the right hon. Gentleman or his successor be able to call on the Cape Colony and say, "Protect yourselves, because we in 1865 insisted on marrying you to the colony of British Kaffraria?" "No," they might answer; "you insisted on forcing the union upon us, and we throw the responsibility on you." Last Session a petition was intrusted to himself for presentation to that House against that annexation. It was signed by a large number of the inhabitants of British Kaffraria—British Colonists—and he believed its prayer represented the general feeling of that colony. It was stated that although this measure, which was *ultra vires*, so far as the Colonial Legislature was concerned, had been thrown out by the Parliament of the Cape, yet it had again been submitted to them through the influence of the Governor of the colony, and the Resolution had been passed by the Legislative Council by 7 against 6. But it appeared that that had taken place after the Western Members, who represented the section of the colony which was most likely to object to the proposal, had gone away. It was of course impossible for him to attempt to oppose with any hope of success a measure of this kind, in which so few Members took an interest, and the whole responsibility of which must rest with the Government; but he should like to know whether the annexation was to take place in the event of the Cape Parliament not assenting. If so, he could not but urge on the Government the importance of not pressing such a measure forward — opposed as it was to the wishes of the colonists—without the most serious consideration.

MR. CHICHESTER FORTESCUE had felt, when he saw the hon. Member's notice of Motion on the paper, that it had been given under some misapprehension, since the intention of the Bill was to carry out in the South African colonies those views of which the hon. Gentleman himself had always been an advocate. Here was a little territory—a mere enclave in the extensive region of the Cape Colony—which had been created by the action of the Imperial Government for the express purpose of protecting the frontier of the Cape Colony, by interposing between it and its constant enemies, the Kaffirs, a tract of country which was to be occupied by the Imperial troops, and was to be under the control of the Imperial Government, with a view of civilizing the Kaffir tribes, and converting them into peaceful neighbours. Annual grants of money, at one time amounting to £40,000, had been made for the purpose of this territory, which had been gradually diminished, and at last were stopped altogether. Great improvements had been thus effected on the frontier. The Kaffir tribes had been brought into a far more orderly and peaceable condition, and for some years we had had no renewal of a Kaffir war. But when the grant was withdrawn it was found that the resources of the settlement were too small to maintain it in the position of an independent colony. Beyond the Kei there was a further tract of territory from which the chief Kreli had been driven by Sir George Grey, which it had at one time been expected might have been annexed to British Kaffraria. Probably, if that addition had taken place, the two districts would have furnished such a revenue as would have maintained them as an independent colony. It had, however, been decided that it would be better to be content with the frontier of the Kei, and not to drive the once formidable Kreli into a hostile attitude, but to allow him to occupy a portion of the country beyond the river. The next thing was to decide what should be done with the settlement of British Kaffraria. It had only one port, East London, which could not compete with the ports of the Cape Colony. Consequently, the duties paid on a great portion of the goods consumed there were paid in the Cape Colony. Without coming to Parliament for a grant it was impossible to erect it into an independent colony, and the Secretary of State had made up his mind that the only course to take was to ask the authority of Parliament to annex it to that great colony of which it naturally formed part, the Cape Colony. No doubt that would be an exercise of Imperial authority; but nobody denied that Parliament had a right to exercise that authority, and it was believed that it would be both for the advantage of this country and the colony. It was perfectly true that the Legislative Assembly of the Cape Colony had refused the offer of annexation which had been made, and its motives were not difficult to understand. It was very acceptable to the colonists that there should be a territory between them and the Kaffir tribes entirely under the responsibility of the Crown, for which no demand could be made on them. The Governor had informed Her Majesty's Government that many people in the colony were under the impression that the retention of this small territory by the Crown would adjourn the evil day when they would be called on for further contributions towards their own defence. It was needless to say that such an impression was entirely erroneous. British Kaffraria possessed no legal exponent of its own views, for the Governor was both Executive and Legislature; but it was true that petitions had been received from certain persons residing at the capital, King William's Town, deprecating annexation. Their motives, too, were not difficult to be understood. There was a good deal of advantage derived from the expenditure in the territory necessary for the maintenance of establishments beyond its own means, and there were future prospects connected with a demand which had been made for a Legislative Assembly, which might account for their views. On the other hand, petitions had been received from a number of persons in the country districts protesting against the representations of what they called a clique in King William's Town, and expressing their wishes to form a portion of the Cape Colony. Under these circumstances, the hon. Gentleman could hardly deny that the Secretary of State had exercised a wise discretion in proposing to annex this territory to the Cape Colony, rather than come down to the House and ask for a Vote of money to continue it as an independent colony. The Governor had informed them that when the change had been accomplished by Imperial Act it would meet with very general assent. This Bill, it was true, was imperative; but it was to be hoped that the Colonial Legislature, when they were informed of the definitive decision of Parliament, would make all necessary provision for the annexation. If they still refused, the Bill gave the Governor full powers to effect the amalgamation. Great care had been taken that no disadvantage should arise to any parties from the change, and under these circumstances he hoped the hon. Gentleman would withdraw his opposition to the Bill.

Mr. MARSH thought this was the fairest Bill he had ever known proposed upon this subject, because in former attempts to deal with it the respective colonies were left to settle the limits by themselves. He hoped that the matter would be settled amicably at the Cape, and he certainly believed that one result of the arrangement would be a saving of expense to this country.

Mr. ADDERLEY was of opinion that the opposition to the Bill proceeded rather upon the ground that such a measure ought not to pass without observation and explanation than upon objections to the Bill itself. For his own part, he did not think the Government had any alternative but to propose some such Bill as this. No one could dispute the power of the Imperial Parliament to deal with this subject. It was in the power of the Sovereign even to abandon to hold territory, held, as this, as a Crown colony, and it was within the power of the Imperial Parliament to bring it within the boundaries of the Cape. The Queen would only have to cancel the Letters Patent of 1860, which constituted Kaffraria into an independent Crown colony, and then the question would, no doubt, present itself very differently to the minds of those who now opposed its annexation. Then as to the wisdom of the measure itself. No doubt it appeared a violent proceeding to annex Kaffraria against the wishes of the inhabitants of the colony, and against the desire of the representatives of the Cape. It was possible that the Governor erred in making the arrangement at all appear to them to be dependent upon their consent. The inhabitants of Kaffraria objected because they did not want to be put to the expense of defending their own territory, and preferred being wholly undertaken for by British taxpayers to being taxed themselves; and the Cape representatives objected because as long as Kaffraria was maintained by England there was a barrier against all invasion of their country kept up for them at our expense—in fact, we should be obliged to defend their frontier. The Cape desired to have all the pleasures of self-government without the expense. Those were good reasons there, but they were equally strong the other way with the Imperial Government. The hon. Member for Taunton seemed to fear the risk of our involving ourselves in future Kaffir wars by giving the Cape the plea that we had caused them by this uninvited arrangement; but it was difficult to perceive the danger when the relations of the Imperial Government to the Cape, including Kaffraria, would be only the same as they were now towards the Cape itself. There would be danger in allowing the present state of things to remain. Either we must annex the colony in question to the Cape now, or we must say that we never would do so. Things were in a state which would not bear delay or indecision. It would be a mere delusion for the British Parliament to undertake to defend for ever so extended a frontier, which the Crown had only undertaken under the existence of temporary difficulties, and, under all the circumstances, he felt bound to support the proposition of the Government.

Mr. ARTHUR MILLS explained, that he never intended to question the right of the Imperial Parliament to deal with this subject.

Mr. CARDWELL, with reference to one question raised by the hon. Member (Mr. Arthur Mills), reminded the hon. Gentlemen that we could never be in a worse position to call upon the Cape Government to defend their own frontier than we were at present, and he believed, when the measure was adopted, the Imperial Parliament would be in a better position to deal with the whole subject.

House in Committee.

(In the Committee.)

Clause 2 (Interpretation.)

Mr. ADDERLEY asked for some definition of "British Kaffraria."

Mr. CARDWELL said, that the Transkei territory had never been annexed to Kaffraria.

Clause *agreed to.*

Clauses 9 to 13 *agreed to.*

Clause 14 (Continuance of Laws of British Kaffraria after Incorporation.)

Mr. CARDWELL, in answer to Mr. Arthur Mills said, that the laws at present existing in British Kaffraria would still remain in force, but that they might be altered by the local Parliament — of course, with the sanction of the Crown.

Mr. CHICHESTER FORTESCUE said, that according to the statement of the Governor, the laws of British Kaffraria were identical with those at the Cape.

Clause *agreed to.*

Clause 15 *agreed to,* with a verbal Amendment.

Clause 16 *agreed to.*

Clause 17 (Civil List for British Kaffraria.)

Mr. ARTHUR MILLS wished to know how the amount which was to be paid to officials for loss of office had been determined.

Mr. CARDWELL said, that as the sum required had not been stated by the Governor, he had been obliged to fix it himself.

Clause *agreed to.*

Remaining Clauses *agreed to.*

House *resumed.*

Bill *reported*; as amended, to be considered on Monday next.

House adjourned at a quarter before Ten o'clock till Monday next.

HOUSE OF LORDS,

Monday, March 6, 1865.

MINUTES.]—Public Bill—*Select Committee*—On County Courts Equitable Jurisdiction *nominated.*

MILITARY HOSPITALS AT NETLEY AND WOOLWICH.—OBSERVATIONS.

The Earl of DALHOUSIE rose to call the Attention of the House to the Condition of the Military Hospitals at Netley and Woolwich; and to ask the Secretary of State for War,

1. Whether the Vote of £6,000 is all that is intended to be applied to the Erection of a Landing Place at Netley.
2. Whether the Hospital at Woolwich is intended for a General Military Hospital or only for the Use of the Garrison at Woolwich.

He offered no apology, during the present dearth of business in their Lordships' House, in calling their Lordships' attention to a most important subject, and he could assure his noble Friend the Secre- of State for War, that the observations he should offer would be made in no hostile spirit, either in reference to the noble Lord himself, or his administration of the Department, with which, on the contrary, he had every reason to be satisfied. The subject to which he wished to call attention referred to our military hospitals, especially to two large hospitals, one of which was in full operation, and the other in course of erection. In order to render the subject perfectly intelligible he must go back to the time of the Crimean war. There was no doubt that war was, with all its horrors and all its hardships, the occasion of introducing into the administration of the army of Great Britain many most satisfactory changes. It was to that epoch we must go back for all the improvements which had taken place in military hospitals and for most of those that had been introduced into military barracks. The question of hospitals was that to which he wished to call the attention of their Lordships' on the present occasion. It was at the time of the Crimean war that the defects in our hospitals were first discovered by the public; although it had been well known long prevously to the military authorities that those hospitals were in a most ineffective, almost discreditable, condition. So far as he might be personally concerned, he had no objection to take upon himself blame for the condition in which they were. The fact was, that public opinion had not sufficiently recognized the importance of the principles which were making their way in civil hospitals, and the Government despaired of obtaining from the House of Commons the money which was required to place the military hospitals upon a proper footing. The events of the Crimean war disposed the public to be far more liberal in this respect, and in the year 1856 he first planned and proposed to Parliament to sanction the erection of a great hospital at Netley. The circumstances under which that hospital was commenced he should take the liberty shortly to detail. Anticipating that there would be great difference of opinion with reference to the site of a great hospital like this, intended for the accommodation of a thousand patients, and also with reference to the plans according to which it should be built, he took his steps accordingly. In the first instance oppointed a Committee, consisting partly of military and naval men, and partly of civilians, who should examine the whole country and say where it was most expedient to erect such an hospital—bearing in mind that it was intended for the reception of invalids from abroad, and that therefore it was necessary that it should be in some situation which was accessible from the sea. After much consideration that Committee fixed upon a site on the banks of the Southampton Water, near Netley Abbey, as the most healthy, most convenient, and most suitable locality, under all considerations, for the erection of a great military hospital. He next had to determine upon the plan to be adopted, and again he appointed a Committee, whom he directed to inspect all the great hospitals both of the Continent of Europe and of Great Britain, in order to ascertain the plan which would be best adapted to serve the purposes which he had in view. This was also accomplished, and according to that plan the hospital of Netley was erected. One of the great objects for which Netley Hospital was intended was to supersede Fort Pitt in the reception of military invalids from abroad, and as the place at which they should await their discharges or go into hospital. A more unfortunate place for the reception of invalids than Fort Pitt never existed. Whenever any large body of invalids landed from the East, the place became a scene of the utmost demoralization, and many a non-commissioned officer had to regret, that while waiting there for his discharge he lost his stripes and the pension attached to them, and many a man who arrived there with good service marks upon his arm lost them and was discharged without the benefit to which these marks entitled them. To avoid this was one of the objects contemplated by the erection of Netley Hospital. Another object was to establish there an army medical school, and a third to create a general hospital for invalids who on landing from abroad might be suffering either from wounds or from diseases incidental to the climates of the countries in which they had been serving. He had great satisfaction in knowing that the building had now been completed, that a regular medical school had been established, and that great success had attended the measures adopted for the discharge of invalid soldiers—a success which had been increased by the plan which had been introduced by his noble Friend for the discharge of home invalids at the head-quarters of their own regiments. But all this had not been effected without the greatest possible difficulty. Those who disapproved the plans upon which the hospital was built did all they could to interfere with its success, and he believed that so far were—he would not say the conspiracies against this hospital, but the endeavours to overthrow it carried, that he was not without reason for saying that the building was offered to the Commander-in-Chief as a barrack, and afterwards to the Admiralty to be applied to any purpose they pleased. In fact, everything was done that could be done to get rid of that which had turned out to be one of the finest establishments the nation could have had for the purpose intended, and one which would bear comparison with any similar institution in any part of the world. He visited the hospital at Netley the other day, and he was gratified to find that the testimony of the medical officers bore him out in the assertion that the site was not an unhealthy one, as some persons had reported. A medical school had been established, which showed that that part of the arrangements had been carried out with the greatest possible success, and the arrangements made for the invaliding of soldiers who came from India and from our Colonies were so complete that he was informed that within three weeks after their arrival, such of them as did not require hospital treatment were discharged and forwarded to their places of residence without being exposed to or falling into the temptation of spending a shilling of the money with which they might arrive in this country. Under these circumstances, he maintained that the success of Netley hospital had been, notwithstanding the reports to the contrary, so great as to reflect upon those who in the first instance attempted to prevent its erection, and who had done their best to run it down as an establishment on which the public money ought not to have been expended. The only fault which he had to find was, that the quarters for the medical officers had been curtailed of certain appliances, the plans for which were approved while he was in office, and all for a paltry saving of £4,000 or £5,000, which was struck off the Estimates by the late Lord Herbert when he was Secretary of State. In all respects but the one to which he was about to allude the hospital was complete, as he had intended it. What was still wanted was a proper landing-place or pier. He did not complain of there being no such thing at present: but what he did complain of was that, as far as he could read the Army Estimates, what was about to be placed there, though admirable, no doubt, to the extent to which it went, would be quite insufficient to meet the necessities of the hospital. What was required was a pier to the deep water, so that the invalids might be transferred at once from the transports to the hospital by means of railway trucks. At present, there were only two places, and certain periods of the tide when even boats could approach the landing place, and then the invalids had to be carried from the boats to the hospital. His noble Friend contemplated building a pier at an expense of £6,000. This might remedy the inconvenience to some extent, but it would not remedy it to the full extent. He had been informed by naval men that the character of the shore was such that nothing would be more easy than to run out a light pier serviceable for all the purposes, so that large ships might lie alongside. So much for Netley.

He now came to the hospital which he had also been down to look at—a very large building going on in the neighbourhood of Woolwich, which had cost, or would cost, the public £200,000. The building was one for which his hon. Friend at the head of the War Department was in no way responsible in his official capacity, for it was left him as a legacy on his accession to office. With reference to the hospital he went down prepared to see something singularly unique in its construction. It was built on the principle of those hygeists who, he thought, had carried their opinions in this matter too far. He found it a most gorgeous hospital with a handsome design. He found it built in blocks of wards so composed of glass that it would be absolute cruelty to put an invalid into such wards. He would ask any one of their Lordships if, when struck down in illness, the first object was not to relieve the brain and eye from the oppression of too much light; whereas in these wards the plan seemed to be throw as much glare into them as possible. The whole system was one which he could only call the "glass and glare" system. If it were intended for a flower show, nothing could be more admirable, or if it were intended for a museum nothing could be more delightful; but if it was intended for sick patients it was absolute cruelty to put them there. The site, too, was an unfortunate one. It was built on the side of the hill, the foundation rested almost entirely on the clay, and the result was that those foundations had perished to a certain extent. He did not pretend to have any knowledge of engineering or of building himself, but when he inspected the building he did so under circumstances singularly favourable to it, for he went round the building with the contractor, his friend Mr. Myers, and although that gentleman naturally desired to gloss over these failures he (the Earl of Dalhousie) saw enough in some formidable supports and buttresses still unremoved to assure him that the rents in them were almost as likely to be as fatal to the hospital as was "the rent the envious Casca made" in the robe of Cæsar. The hospital could only be intended for one of two things — either for a general hospital or a garrison regimental hospital. The site and the locality in which it was placed were inappropriate for a general hospital, and, moreover, there was neither attached to it, nor did there seem any proposition to attach to it, any quarters for the medical officers. In the next place, if it was a general hospital, they would allow him to point to the inappropriateness of its position. If meant for invalids in the army coming from abroad, these invalids were brought in large transports which could come up no further than Gravesend; there the invalids would have to be transferred into small steamers, and the best point at which these steamers could discharge the invalids was at the landing place at the Arsenal, which was two miles from the hospital on Woolwich Common. If it was not to be a general hospital and was to be a regimental hospital for the garrison at Woolwich, he thought the expenditure of £200,000 most unnecessary—it was paying too dear for the whistle. In the first place, the garrison at Woolwich rarely exceeded 4,500 men; in the second place, they possessed already an exceedingly favourable specimen of the old style of hospital. So good was it that when he went round it the other day he found that it was capable of being adapted to all the new requirements. The new hospital on Woolwich Common was intended to make up 650 beds; the present accommodation was 330, and there had never been so many as 250 of the beds in use at one time. Then, in any case, why remove a regimental hospital, convenient for all its purposes, from its vicinity to the troops and its vicinity to the medical officers? But, whether it was to be a general or a regimental hospital, he was prepared to show that it was not fit for the first and that it was beyond the necessities of the second—even if it were required at all. He had gone further; he had visited the regimental hospital at Hounslow. That was also on the principle that he would again take the liberty of calling the "glass and glare" principle. He found there a very pretty little hospital, but much larger than the necessities of the case demanded. He found the hospital attached to the barracks that accommodated five-and-a-half troops of cavalry, which hospital held sixty or sixty-five beds. He found one wing of the hospital shut up and locked up, it never having been used; and he was gratified to find that the four small comfortable wards, in which the worst cases in the hospital were accommodated were as airy and quiet rooms as could be desired in a private house; and he saw that which was condemnatory of the glass hospitals, for the lower panes of glass had been painted a most beautiful dark green, in order to exclude that light which those who designed the new hospitals seemed to think the first necessity of a sick room. He was about to give credit for them to the commanding officer, who however, assured him that it had not been done by his orders, but that it was done by order of the medical officers of the first regiment to whom the hospital was handed over. He went a little further, and found this hospital was fitted up in the most extraordinarily expensive manner. Now, where money was no object at all, to have those expensive fittings in the hands of those who knew how to manage them was all well enough; but the first fittings which struck him were the gasfittings, which were most expensive, with large globes; and not only were they expensive but most intricate. He found that an orderly who had been in the habit of attending to those globes had broken some of them, and that down had come the clerk of the regiment with a bill of five guineas for "barrack damages." He carried his examination a little further, and found that a sink intended for the refuse water of the hospital was fitted with a porcelain pan, and that an attendant having let a vessel fall upon this pan it was smashed, when down came that regimental clerk with a bill of six guineas for "barrack damages." Now, a sheet-iron pan, painted white, would have done equally well as this one of porcelain, and to replace it, if it had been injured, would have cost only a small sum. If there was one thing which more than any other was likely to cause dissensions between the men and the officers of the army, it was this subject of "barrack damages." There was not a soldier who heard him—and he spoke from personal experience—who did not know how fertile a source of discontent these "barrack damages" were. During the nine years that he was connected with the administration of the army, knowing the complaints that had been made of this system, he turned over and over in his mind the question whether it could be got rid of. He found that with justice to the public he could not get rid of it. The public property must be protected, and those who wilfully damaged it should be made to pay; but at the same time those who had the levying of those barrack damages should levy them in the most gentle manner. Nothing should be charged for except the case was clearly one in which a charge ought to be made; and, on the other hand, care should be taken by the Government not to furnish barracks and hospitals with such expensive fittings. They ought to be fitted up in the cheapest and most substantial manner, so that there should be the least chance of injury, whether by design or accident. This was a subject which he thought his noble Friend the Secretary for War would do well to take into consideration. He could not help thinking that all these, he must call them unnecessary knick-knacks in hospitals were introduced partly from the habit which prevailed in the War Office of consulting hygeists not connected with the army. To a certain extent he believed he was to blame in this matter; for at a time when it was absolutely necessary to put the hospitals on a proper footing, and to adopt proper principles of hygiene, he did employ civilians for that purpose, because he did not find to his hand in the army gentlemen sufficiently educated in those principles, or all events, who had had experience in them. But times had changed since, and the principles of hygiene were now studied by the medical officers of the army with the same assiduity and zeal, and with the same desire to turn them to good account, as they were by civilians; and when he looked at the *Army List* he found that there was at this moment a branch of the War Department called "the Sanitary Branch," and that "Inspector General P. Logan, M.D." was at hand to advise the Department in any matter of sanitary arrangement. He found also that in the Military Medical School at Netley one of the most distinguished authorities on the subject had been appointed Professor of Military Hygiene. Under these circumstances he could not see that it was at all necessary to have recourse to the advice of civilians; but he was told that even up to this hour his old friend, Dr. Sutherland, whom he had consulted about the hospitals at Scutari and other places, was still advising the War Office. The name of Dr. Sutherland was so hidden away on the list that he could not find out exactly where he was, but he had no doubt he was not far from the elbow of his noble Friend, or from that of the Under Secretary for War. His noble Friend ought at once to make up his mind to give up such a system, for he had connected with the Medical Department of the army persons capable of advising him, and none more so than the Director General of the Medical Board. In conclusion he had to express a hope that in building hospitals his noble Friend would see that they were not merely Temples of the Sun, and that in building barracks he would see that they were something more than Temples of the Winds.

EARL DE GREY AND RIPON: My Lords, there is nothing more natural than that my noble Friend, who has for long taken so great an interest in everything connected with the sanitary condition of the soldier, should have brought this subject under the notice of the House. It is also natural that he should have entered into a criticism respecting these hospitals, because he was Secretary of State for War when the building at Netley was commenced. I, however, stand neutral between Netley, Woolwich, and Hounslow, because I have no connection with the parentage of any one of the three. But I I am anxious to preface the few words which I shall have to address to your Lordships by congratulating my noble Friend on the fact that he was the Secretary for War who planned and commenced the erection of the noble Hospital at Netley. The plans he devised and the scheme he laid down have been fully carried out, with the exception of some very small points to which I shall advert, by those who have followed my noble Friend in office. And I am glad to be able to concur with him in saying that the fears which were expressed by some persons with respect to the site of Netley Hospital have not been realized. It may be quite true that some of the details of the arrangement of that Hospital, which was planned in 1856, have since been subjected to criticism; for, remembering that it was only during the Crimean war that our attention was called to the important subject of military hospitals, it is not to be wondered at if, during the nine years that have elapsed from 1856 up to the present time, Lord Herbert and others who came after my noble Friend should have had their attention directed to improvements suggested since the Crimean war. I do not, however, want to enter into any controversy on these points; for, judging my noble Friend's work from the results, it has been eminently satisfactory. But with respect to the comparison he introduced between Netley and the hospital of Lord Herbert, it did strike me that the same remark would apply to it as that which might have been made in respect of certain criticisms on my noble Friend's own work. It might be said that while the work is in progress, and until a practical test can be applied, it might be better to suspend our judgment. With respect to the pier at Netley, no doubt the sum taken in the estimates for one 203 yards long is not for a pier to go out to such deep water as would enable transports to bring the sick troops alongside of it; but when that question was considered during the time my late Friend Sir George Lewis held the post of Secretary for War, it was found that there would be very great difficulty in getting transports such as those used by the Government to come up to Netley, and that if we required them to pass up and down the Southampton Water, the expense of their hire would be very considerably increased. In consequence of that difficulty, the old contract has been continued, which provides for the troops being landed at Spithead; but, instead of being brought up in any steamer which may chance to be at hand, as has been the case hitherto, under the new arrangement the Admiralty will provide a special vessel for the conveyance of the invalided soldiers, and this vessel will have every comfort necessary for the men during their short voyage from Spithead to Netley. These vessels drawing very little water will be brought to the pier to be erected. It must be borne in mind that the construction of a pier 1,200 yards long, as the noble Earl suggested, would give the invalids a walk of not far short of three-quarters of a mile on their landing; whereas if they could be brought in by these small vessels all that inconvenience would be spared them. However, if this plan does not answer, nothing to be done this year will prevent a larger pier being made, and I should be the first man to propose it if it were shown to be necessary. The subject was very carefully considered by myself, the First Lord of the Admiralty, and the local officers when they were there last year, and the plan now adopted is that which was then thought to be best. I turn now from Netley to the hospital at Woolwich. The noble Earl says that when he went down there he found a gorgeous building. The word "gorgeous" might induce your Lordships to fancy that it was a building which had been erected at a greater expense for its size than that at Netley; but the fact is that the cost of the two per bed was about the same, as nearly as possible. With regard to the plan on which it is built, it is upon what is called the "pavilion" plan, although my noble Friend calls it the "glass and glare" system. On such a point I should not think of putting forward my own opinion, which would be worthless, against that of my noble Friend; but I may say that it was the plan which was approved by Lord Herbert, and which has been recommended by successive Committees and Commissions appointed to report upon the best arrangements for military hospitals. In 1856 my noble Friend himself appointed a Committee to report upon the design for a hospital at Aldershot which reported in favour of the pavilion plan. He also appointed the Sanitary Commission, of which Lord Herbert was Chairman, and nothing does my noble Friend greater honour than the appointment of that Commission and its results. That Commission reported in favour of the pavilion plan, which means long galleries built out at right angles to a corridor, so as to leave lights on both sides of the wards. That principle has been adopted at a new military hospital at Vincennes and at a new civil hospital at Paris. The tendency of the present day appears to me to be to build civil hospitals on that plan, and there appears to be in favour of it a great weight of competent authority, which ought to be judged competent by the noble Lord, since his own Committees and Commissions reported in that sense. I am not responsible for the erection of the hospital on that plan, but I should be perfectly prepared to take the responsibility if I had acted on the advice by which Lord Herbert was supported. My noble Friend asks me whether it is to be a general or a regimental hospital, and his language might leave on your Lordships' minds an impression as to the nature of the two kinds of hospital which would not be quite correct. The difference between a regimental hospital and a general hospital is this—that the one is conducted and managed by the medical officers of each regiment, and the other by a special general staff of medical officers entirely distinct from the regiments to which the men belong. A general hospital is conducted in the manner in which a hospital would be conducted in time of war. The late Lord Herbert was of opinion that in time of peace the medical officers should be so trained in the duties of a general hospital, that when an emergency arose, and it was necessary to establish such a hospital at the seat of warlike operations, they would be able at once to undertake the duties. One of the difficulties during the Crimean war was, that the regimental system had been so exclusively adopted, that medical officers did not understand the general system, and were not prepared to work it. Lord Herbert thought that one hospital would not be ample to train the medical staff. If the Netley staff were sent away suddenly to the seat of war, there would be no one to take up their duties at the general hospital for those invalids who were sent home to this country. Lord Herbert came to the conclusion that there ought at least to be two hospitals upon the general principle, and after due consideration he came to the conclusion that Woolwich was the most suitable place for the second. That hospital has been erected as a general hospital, and will be conducted as a general hospital would be in time of war. The hospital which now exists is worked at present, as far as the *personnel* and general arrangements go, on the principle of a general hospital. My noble Friend says that if the Woolwich Hospital is merely intended to receive the sick from the garrison at Woolwich, it is larger than is necessary. He puts the garrison at 4,500, though at present it is nearer 5,300. When the hospital was designed, the accommodation was calculated for a garrison of 6,500, and at that time the estimated average of sick was 10 per cent, so that accommodation was provided for 650 men. But since that time, owing to the measures for the amelioration of the sanitary condition of the soldier, commenced by my noble Friend, and continued by his successors, Lord Herbert, General Peel, and Sir George Lewis, the proportion of sick to healthy men in the army has very much diminished, and the average, which at that time was 10 per cent, is now reduced to 7 per cent; consequently, hospitals which were built on a calculation of an average of 10 per cent, are hardly likely to be filled now that the average is reduced to 7 per cent. With regard to the hospital at Hounslow, which was erected on the plan of Lord Herbert, I must point out, though it does not make much difference, that the hospital there is intended not only for the men at Hounslow, but for the detachments at Hampton Court and Kensington, which, however, are not considerable. That, too, was a hospital built on the calculation of a 10 per cent average, and the difference between that and the present 7 per cent, must be taken into consideration. My noble Friend went on to speak of the expensive fittings of the hospitals. I do not recollect the case of the gas burner, but I do happen to recollect the case of the sink. No doubt, it would have been easy to have a cheaper sink, but it must be remembered that it is of great importance in these hospitals to have a sink of a proper description which can be easily kept clean. If you have one of iron or other such material, it is much more liable to rust and to foul than one which has a perfectly smooth surface. My noble Friend, I think, has been misinformed as to hospital breakages. With regard to the broken sink to which the noble Earl referred, the usual course was taken in this instance. The sink was broken by carelessness, and the usual practice is to charge for it, but when the matter came under my notice, I considered the subject fully, and I came to the conclusion that it was not desirable to charge the man the whole value, £6, and I adopted a rule that any of the more expensive articles of barrack fittings should be used as seldom as possible, and that when any were broken, only such a sum should be charged as would operate as a fine to prevent carelessness. That course, I hope, will meet the views of my hon. Friend. I have only now to remark upon the noble Earl's objections to the practice of consulting civilians or hygeists. I think we ought to speak with gratitude of the great advantages we have derived from the assistance of civilians, whose suggestions for the improvement of the sanitary condition of barracks and hospitals have been adopted by successive Secretaries of State. With the noble Earl I look forward to the time when the medical officers of the army will be possessed of as ample knowledge as any civilian upon the subject of sanitary hygiene. My noble Friend alluded to Dr. Logan and to the Professor of Military Hygiene at Netley. Dr. Logan is a member of the present Sanitary Committee, and the Professor of Military Hygiene is a civilian. The constitution of that Committee, which is consulted by the Secretary of State on all sanitary questions, was altered by Sir George Lewis, and it now consists of the Quartermaster General as president; of Dr. Logan, the head of the sanitary branch of the Army Medical Department; and of Captain Belfield, the head of the barrack building branch, who are *ex officio* members. The other members of the Committee are Captain Galton, who has done so much as an engineer for sanitary improvements, and Dr. Sutherland. I certainly think Dr. Sutherland is entitled to the gratitude of the country, and of the Government for the services he has so long rendered. My noble Friend consulted him, and placed him upon the first Commission, and I do not think the time has yet come when we can entirely dispense with the services of all those who were members of that Commission. There are three other Members who are specially appointed by the India Department. In dealing with this subject the Government is acting upon the experience of the Commission which was appointed by my noble Friend, and that experience was confirmed by the Indian Sanitary Commission appointed by General Peel, and presided over with so much ability by my noble Friend Lord Stanley—so that we have the latest as well as earlier authority to sanction the course we have pursued.

THE EARL OF ELLENBOROUGH: I have not seen the Report upon the sanitary condition of the troops in India; but I am sure that anybody who knows anything about that country knows that troops in India are more healthy under canvass than in houses, and hospitals under double canvass are better adapted to save patients than hospitals established in houses. The great secret is good ventilation, and that point cannot have been attended to by those who recommended great windows and great doors. Now, great windows and great doors produce great draughts, and great draughts are likely to kill patients, whereas good ventilation will tend to preserve their lives and restore them to health. I could not hear what was stated by the noble Earl who introduced this subject without being satisfied that these hospitals have been built with great extravagance, and without due attention to those circumstances which are most conducive to the health of the inmates. I doubt whether any hygeist—or, I prefer the old word, doctor—I doubt whether any doctor ever looked over the plans of these buildings. It would rather appear, from what he had said, that they were the plans of some ambitious architect, whose chief aim was to erect a handsome and extravagant building. How could any man have planned such large windows! They no doubt admit light, very much to the inconvenience of the patient, and when open they admit a great deal too much air. In hospitals the only points to be considered are to make the patients comfortable and to restore them to health, and any more ambitious attempts are out of place. Although the hygeists may have made some improvements, I confess I do not understand all these new curiosities which are intended to maintain the health of troops. The health of troops, like the health of individuals, is to be maintained by the exercise of their own good sense, by following the advice of their officers as to what they should avoid and what they should do. It is by self-management alone that the health of human beings can be preserved; and if men will neglect the suggestions of common sense they must expect to suffer for their imprudence, and it will be impossible to prevent them from doing so.

EARL DE GREY AND RIPON explained that the building at Woolwich was not the plan of any ambitious architect, but was drawn up in the usual manner by the Engineer Department, under the supervision of the local engineer of the Staff, with the approval of the Army Medical Department and the Sanitary Committee.

THE EARL OF ELLENBOROUGH thought it ought also to have had the approval of the Secretary of State, who was solely responsible. The Secretary of State was not to act upon the advice of others without making himself fully acquainted with all the details, and he doubted very much whether if any Secretary of State had examined into the plans of the building mentioned he would have adopted them.

EARL GRANVILLE thought their Lordships would all allow that there never was a Secretary of State who paid so much attention to the subject of army hospitals and barracks as the late Lord Herbert. That noble Lord, while never seeking to avoid responsibility, naturally took the advice of the professional persons who were best acquainted with the subject, and who were most competent to give it.

THE EARL OF LONGFORD was glad to hear that the War Department had erected one successful hospital—for he believed that Netley was a success—although even in that case there was the drawback of there being no means of getting to it. It was not surprising that the Department had failed in other hospitals. The establishment of a large hospital was not simply a medical question, but involved considerations of construction, expense, discipline, supplies, and organization. Every Department of Military Administration was involved, and it was hopeless to look for successful combined action as long as the Departments were scattered over Whitehall, Spring Gardens, Great George Street, Chelsea Hospital, and other places. The first step towards improvement would be in the concentration of all the Military Departments under one roof, or in close contiguity. The offices of War Administration should be concentrated in one place, as was proposed for the Courts of Justice. As to the employment of civilians, he went further than the noble Earl (the Earl of Ellenborough), for he thought that military men were almost competent to manage military affairs; and if the civilians now employed in military affairs, even in some of the highest Departments, were to be employed in other branches of the public service, he believed that neither the military nor any other Department would suffer. He could not but regret that the reductions in present and past years of the number of troops should be necessary to meet the extravagant cost of the service of the civil branch.

THE EARL OF DALHOUSIE, in reply, said, he never intended to undervalue the services of Lord Herbert in all that related to the Department over which he presided. For himself, he had always set his face against the "pavilion" plan of hospital at Woolwich, and when it was attempted to alter the plans at Netley he opposed it, and thereby entailed upon himself the anger of all who patronized that species of art. The noble Earl had not noticed the fact connected with the first hospital at Hounslow, that it had been found necessary to paint over the windows in order to avoid danger to the patients. He only desired the exercise of economy in the fitting up of hospitals, and of common sense in their management and arrangement.

THE DUKE OF CAMBRIDGE said, he must bear testimony that the liberality shown by the War Office in this matter had been well bestowed; and though he thought and always had thought that it was very objectionable to have expensive fittings in an hospital, if it were possible to avoid them, he considered that the liberality which had been bestowed in this case had been well considered and was very satisfactory. He did not pretend to enter into the building controversy about "glass and glare"—he must leave it to more scientific minds—but he would willingly bear testimony to the great convenience and comfort which was afforded by the new hospital at Netley. Netley was a great success, and this despite of what had fallen from the noble Earl (the Earl of Dalhousie). It is hardly fair to say, as my noble Friend (the Earl of Longford) has said, that the hospital is scarcely approachable. It was never contemplated that there was not to be a pier, but it was justly felt that it was one of the details which must follow the general building. It was thought wise to finish the Hospital itself, and then to look after the details. It was hardly fair to say that the Hospital could not be approached. With reference to the Hospital at Woolwich, they could only judge of it when it was occupied, which it was not at present.

House adjourned at half past Six
o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, March 6, 1865.

MINUTES.] — New Member Sworn — Charles Moore, esquire, *for* Tipperary County.

Select Committee — Africa (Western Coast); The Marquess of Hartington and Mr. H. Seymour *added.*

Supply—*Considered in Committee* — Navy Estimates—Committee r.p.*

Public Bills — *Resolutions in Committee* — *Ordered*—Partnership Amendment *.

First Reading—Partnership Amendment * [52]; Colonial Naval Defence * [51].

Considered as amended—Industrial Exhibitions * [36]; British Kaffraria * [45].

Third Reading—Common Law Courts (Fees) * [39] and *passed.*

THE POOR LAW.—QUESTION.

Mr. MITFORD said, he wished to ask the President of the Poor Law Board, Whether he intends to bring in a Bill this Session to carry out the recommendations of the Poor Law Committee with respect to Unions and Parishes under Gilbert's Act?

Mr. C. P. VILLIERS said, in reply, that the Committee on the Poor Laws had recommended that the Poor Law Board should have the same power in Unions under the Gilbert's Act as in those constituted under the Poor Law Amendment Act, and accordingly when introducing a Bill for the renewal of the Commission he should make provision for that purpose.

THE LICENSING LAWS.—QUESTION.

Mr. LAWSON said, he would beg to ask the Secretary of State for the Home Department, Whether, the House having refused to deal with the Licensing Laws by any Private Bill, he now intends to introduce any public or general measure for remedying the evils inflicted on the public by those Laws?

Sir GEORGE GREY: I think, Sir, I said during the discussion the other night that it was not my intention to introduce a general measure on the subject this Session.

STORAGE OF GUNPOWDER.
QUESTION.

Mr. Serjeant KINGLAKE said, he wished to ask the Under Secretary of State for War, Whether any alteration has been or is about to be made in the system of storing Gunpowder in public or private magazines?

Sir GEORGE GREY said, in reply, he had answered a similar question some time ago. Inquiry had been made under his direction by Colonel Boxer as to private magazines; and a Committee of five officers had been appointed by the Secretary of State for War to inquire into the storage of gunpowder in Government magazines. That Committee had not yet made its final Report; but he hoped before long a Bill on the subject would be laid before Parliament.

INCLOSURE OF FULMER COMMON.
QUESTION.

Mr. SHAW-LEFEVRE said, he would beg in the absence of his hon. Friend (Mr. Doulton) to ask the Secretary to the Treasury, Whether his attention has been called to a Provisional Order of the Inclosure Commissioners for the apportionment of Fulmer Common, within twenty miles of London, and four miles of the towns of Slough and Uxbridge, and whether he will undertake that all further action shall be stayed in the matter until the Report of the Committee on Commons and Open Spaces has been presented to the House?

MR. PEEL said, he understood that the Inclosure Commissioners were disposed to recommend this Inclosure, and therefore doubted whether it would be proper to give such an undertaking as the hon. Member asked for. But, as the hon. Gentleman was aware, no inclosure could take place until confirmed by an Act of Parliament, and when the Bill for that purpose was brought in it would be competent for the hon. Member to move the omission of the clause sanctioning this particular inclosure.

THE TRINITY BOARD—STEAM-TUGS.

QUESTION.

MR. CAVE said, he would beg to ask the President of the Board of Trade, What course he intends to adopt with reference to the proposed Bye Law of the Trinity Board under which Pilots are to be prohibited from owning Steam Tugs?

MR. MILNER GIBSON said, in reply, that, after full consideration, it had been determined that the Bye Law should not be proceeded with.

NAVY—PORTSMOUTH DOCKYARD.

QUESTION.

MR. LAIRD said, he wished to ask the Secretary to the Admiralty, Whether he has any objection to lay upon the table Copies of the Plans finally approved by the Admiralty for the extension of Portsmouth Dockyard, the estimated cost of which, as stated in the Navy Estimates of this year, is £1,500,000?

LORD CLARENCE PAGET, in reply, said, it was his intention to lay on the table in a few days detailed plans of the extension of Portsmouth Dockyard, and, moreover, he proposed to place in the library of the House models of the works for the information of Members.

DISEASES IN CATTLE.—QUESTION.

MR. LESLIE said, he wished to ask the Under Secretary of State for the Home Department, Whether or not Government intend to re-introduce the Cattle Diseases Prevention and Cattle, &c., Importation Bills as amended by a Select Committee of the House last Session?

MR. T. G. BARING said, in reply, that the Select Committee of last Session recommended that the House should not proceed with the Cattle, &c., Importation Bill; with regard to the Cattle Diseases Prevention Bill, such difference and even conflict of opinion was exhibited before the Committee that the Government did not intend to introduce any measure on the subject.

INDIA—NATIVE ARTILLERY.

QUESTION.

MR. VANSITTART said, he would beg to ask the Secretary of State for India, When it was determined to re-employ Native Artillery in India, which by a Return just issued amounts to 2,052 men; and how many of the 68,336 European Troops in India are Artillery; and whether he proposes to maintain the disproportionate strength of 68,336 Europeans as against 274,713 Native Troops, Native Police, and other Native organized levies?

SIR CHARLES WOOD, in reply, said, his hon. Friend seemed to be under some misapprehension as to the re-employment of Native Artillery in India. Certain portions of the Native Artillery had never been discontinued. [MR. VANSITTART: Not since the mutiny?] No. The Commission which sat in this country recommended that the artillery attached to the army in India should consist of Europeans, exceptions, however, being made in the case of particular stations where it was inexpedient to employ Europeans. Hence, as a rule, wherever troops were quartered the artillery consisted of Europeans; but in places where exposure to a very hot sun rendered it dangerous for white troops to be placed the duty was discharged by a Native force. Those Indian artillerymen, however, were only in charge of two or three guns at any one point, and were scattered about in very small numbers all over the country. The course adopted with regard to them was, therefore, entirely in accordance with the recommendations of the Indian Commission, which determined that a large special force of Native Artillery should no longer be maintained. The European artillery at present in India numbered between 12,000 and 13,000 men. The hon. Member appeared to think the aggregate European force disproportioned to the Native levies. The fact was that it was larger in proportion than at any previous period. Before the mutiny the Native army consisted of 265,000 men, and it has since been reduced to 114,000 men. So far from the officers on the spot considering that too large a force, the Commander-in-Chief in India lately reported that the Native army in Bengal was overworked, and that he would rather increase than diminish its numbers. The police, also, had not been increased to any very great extent, and remembering that in old days about 40,000 of them were armed exactly like soldiers, whereas in future they were to be a purely civil force, he did not consider them as a source of any danger. Orders had been issued as to the arms they were to possess, and the muskets which some of them carried were to be withdrawn.

CHINA—TAXATION AT HONG KONG.
QUESTION.

Mr. LESLIE said, he would beg to ask the Secretary of State for the Colonies, Whether Government still intend to levy an assessment of £20,000 per annum on property at Hong Kong towards defraying the expense of maintaining the garrison there, and to lay upon the Table of the House Copies of all Correspondence with the local authorities, the Memorial of the resident community of Hong Kong, along with the reply of Her Majesty's Government relative to the proposed tax?

Mr. CARDWELL said, in reply, that it was intended to adhere to the arrangement by which the Colony of Hong Kong was called on to pay the very reasonable contribution of £20,000 a year to its military and naval defence. If the hon. Member would move for the Papers, he (Mr. Cardwell) should be perfectly ready to give them.

NAVY—DOCKYARD EXPENDITURE.
QUESTION.

Mr. LAIRD said, he wished to ask the Secretary to the Admiralty, If their Lordships have considered the suggestions contained in the following paragraph of the Report of the Select Committee on Dockyards, of 15th July, 1864, namely—

> "In recommending projects which will, if carried out, involve a large additional expenditure, your Committee do not think it beyond their duty to suggest that it is worthy of consideration whether Deptford, Woolwich, and Pembroke Dockyards might not be suppressed altogether, and disposed of, and the business now carried on in them transferred to the Yards to which such important and costly additions are in progress or in prospect. In all probability the money realized by the sale of these valuable sites would provide a considerable sum towards meeting the capital expenditure which must be incurred in improving the larger Dockyards of the United Kingdom and the Colonies,"

and, whether their Lordships intend stopping all expenditure on new works and machinery in these dockyards until the question of sale is finally decided?

Lord CLARENCE PAGET said, in reply, that the proposals of the Government with reference to the points alluded to by the hon. Member would be fully explained in the course of his statement on the Naval Estimates.

ALLEGED IRREGULARITIES IN THE PATENT OFFICE.—QUESTION.

Lord STANLEY: I rise, Sir, to put to Mr. Attorney General the question of which I have given him notice—namely, Whether the inquiry instituted by Government into certain alleged irregularities in the Accounts of the Patent Office has been concluded; whether the Report of the Commissioners appointed to conduct that inquiry will be laid upon the table; or, if that be considered inexpedient, whether he is prepared to state the conclusion to which they have come; and whether it is the intention of Government to found on such Report any proceedings either for the recovery of the sums alleged to be deficient or for the punishment of those who may be responsible for the loss.

The ATTORNEY GENERAL: Sir, in answer to the question of the noble Lord, perhaps I may be permitted to state that the inquiry to which he refers was not strictly an inquiry instituted by the Government. It was instituted by the Lord Chancellor and the Commissioners of Patents, in consequence of information which reached them as to the existence of certain irregularities and disputes in the Patent Office, which did not in the first instance, except as regards inquiry into a prior matter supposed to be concluded, involve any question of pecuniary defalcation. Those inquiries, however, having been instituted, for the reason I have mentioned, led to two Reports from the gentlemen appointed to make the investigation, the first of which, a preliminary Report, was made in July last, and the second and final Report was presented in the month of January in the present year. The inquiry, therefore, has been concluded, and I should be perfectly prepared to lay on the table the Reports which have been made but for two reasons, which, when I state them, will, I think, appear satisfactory to the House. In the first place, the names of certain persons, officers employed in the Patent Office, are introduced into the Reports in a manner that requires very serious consideration as to the proper mode of dealing both with the persons and the subject; and the measures to be taken in consequence have not been finally determined upon. Secondly, the late Clerk of Patents, who is the person principally concerned in the substance of these Reports, complains—whether with or without reason I do not know—that as to a considerable part of the matter comprehended in the final Report, and involving a very large amount of pecuniary charge, he has not had the opportunity of offering the answers and explanations which he says he is now preparing, and which he desires to have duly produced. I think it will probably be felt by the House that it would be premature to lay these Reports on the table until, at all events, they can be accompanied by such further explanations and answers as the gentleman concerned may be enabled to furnish. With regard to the results at which the Commissioners have arrived, I have no objection at all to state to the noble Lord that if the conclusions arrived at by those gentlemen are correct there remains a very considerable sum to be accounted for to the public by the officer to whom I have alluded. After the first preliminary Report had been made, in July last, that officer paid into the Treasury, acknowledging it to be due from him, as I understand, the large sum of £7,872 the Report then not being finally concluded. He at the same time made it unnecessary to prosecute steps which had been taken with a view to his displacement from the office which he held by voluntarily relinquishing that office, without prejudice to his pecuniary responsibility upon the final completion of the Report. If all the grounds taken by the Commissioners should prove to be tenable, and no sufficient answer or explanation should be forthcoming, a further sum or balance will be due of £9,100 more. And then as to the steps which it is proposed to take, The first thing which it is proposed to do is to wait in order to give a full and fair consideration to any further statements and explanations which the gentleman concerned may desire to offer. It has been a subject of very serious consideration on the part of the Government, under the advice of the Law Officers of the Crown, whether, assuming the facts to be as alleged, that circumstance ought to lead to any proceedings other than of a civil character. Now, taking into account the fact that a great deal of the information which we possess was given in answer to questions put to this gentleman himself, the conclusion which has been arrived at is that the case is not one in which it would be expedient, if practicable, to institute any species of criminal prosecution. But with regard to other measures it is the decided opinion of the Government, unless further explanations lead to a different conclusion, to take civil proceedings in order to recover from the officer to whom I have referred the whole balance of the sums alleged to be deficient.

MR. HENRY SEYMOUR: I wish to ask the hon. and learned Attorney General whether Mr. Edmunds will be in the receipt of the pension of £800 a year until the case is cleared up; and whether, as the case appears to be extremely complicated, he does not think it advisable to move for a Committee of the House for the purpose of inquiry into the matter?

THE ATTORNEY GENERAL: I have no information whatever upon the subject; but, as far as my judgment is concerned, I should think it would not be fair that he should receive any pension while the case is still undecided. With regard to the appointment of a Committee, I should humbly think that while civil proceedings are being carried on it would not be expedient that this House should take up the matter.

SIR JAMES ELPHINSTONE: I wish, Sir, to put a question to the hon. and learned Gentleman, and it is this—whether the Lord Chancellor has appointed his son to the office vacated by Mr. Edmunds?

THE ATTORNEY GENERAL: I have seen in the newspapers that the Lord Chancellor, upon the occurrence of the vacancy in a different place, has, in the exercise of the patronage which belongs to his office, appointed a gentleman who stands in that relation to his Lordship.

SIR JAMES ELPHINSTONE: I wish to ask the Chancellor of the Exchequer, whether the Lord Chancellor, having originated these proceedings against this gentleman, did not, when he was able to turn him out of office, appoint his own son in his place, and whether that is not a question of more gravity than the charge which was brought forward against Lord Chelmsford on a former occasion?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am not quite sure that I can add anything to what has fallen from my hon. and learned Friend the Attorney General; but, as far as I am aware, no proceedings have been taken against Mr. Edmunds up to the present time. I am not sure that I understand the facts to which the hon. Member refers, but I believe the gentleman has been appointed to whom he has alluded.

MR. WHITESIDE: I wish to know whether, in point of fact, Mr. Edmunds has received a pension for good services?

THE CHANCELLOR OF THE EXCHEQUER: On that subject, the Treasury and myself have no information whatever. We have no cognizance of the proceedings of the other House. I, individually, am appointed according to usage to share along with you, Sir, and under your presidency, in awarding pensions to officers of this House; but the Treasury has no authority whatever with regard to the grant of any pensions by the other House of Parliament to its own servants, nor have I any knowledge whatever with respect to the point in question, except from the items open to the whole public in the books of that House.

ARMY—MILITARY STORE DEPARTMENT.—QUESTION.

MR. GREGORY said, he wished to ask the Under Secretary of State for War, If any reply has been given to the Memorial of the Officers of the Military Store Department; and, if not, when a reply may be expected; and, whether there is any objection to lay the Memorial and the Reply upon the table?

THE MARQUESS OF HARTINGTON said, that no Memorial signed by the Officers of the Military Store Department as a body had been received. He might also state that no such Memorial would be received. It was contrary to the principles of discipline to allow such a Memorial signed collectively to be presented. A Memorial, however, had been received from individual Store Officers representing their grievances, and was still under consideration. The principal grievance complained of was want of promotion, and stagnation of progress; but that had arisen, as far as he was aware, from exceptional circumstances. It would not be desirable to communicate to the House any correspondence which had taken place between the War Department and individual Store Officers; but, if the hon. Gentleman wished for further information he should be happy to give it in Committee on the Army Estimates.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

VISCOUNT PALMERSTON: Sir, I would beg respectfully to submit to hon. Members who have upon the paper notices preliminary to going into Committee of Supply the public inconvenience arising from the indefinate postponement of discussion upon the great heads of the public service. The Navy Estimates stand for to-day, and notice was given of them a week ago, but we were prevented twice from bringing them on. It would really be a great convenience to the public service if hon. Gentlemen would permit my noble Friend (Lord Clarence Paget) to make his statement. Hon. Members must remember that they have ample opportunities on Fridays by the practice of the House for Motions upon going into Committee of Supply. I would therefore submit that they should permit the Navy Estimates to come on this evening.

RAILWAY ACCIDENTS.

OBSERVATIONS.

MR. BENTINCK, who had given notice of a Motion upon this subject said, as his name stood first upon the list, he must state in reply to the appeal of the noble Lord that nothing could give him more regret than to do anything which might appear discourteous to the noble Lord or to those who had the conduct of the public business. But he must beg to differ from the noble Lord as to the propriety of hon. Members losing their rights. The noble Lord had said that hon. Members who wished to bring forward Motions relating to other subjects had an ample opportunity of doing so. But the noble Lord was under a misconception, for since the change was made in conducting the business of the House, and Friday was assigned to private Members, they had no security for being able to bring on their Motions. In numberless instances the House had been counted out on such occasions. He should, therefore, proceed with the Motion of which he had given notice. The subject to which he was anxious to call attention was one which certainly did not possess any great political interest, and therefore, would not excite much feeling within that House. But it was one upon which great anxiety was felt throughout the length and breadth of the land. The frequent occurrence of accidents in railway travelling was a subject which excited the greatest possible interest, and the prevailing feeling of insecurity was very much on the increase. Nor could it be said that those who complained might avoid the liability to accident by refusing to travel on railways, for railways had monopolized the whole system of travelling, and had left no other means of locomotion open. Everybody was compelled to travel by railway. Most people, too, believed that the majority of railway accidents might be prevented by the adoption of very simple and easy means; and what the country complained of was that these precautions were not adopted, and that there was no power to enforce them. A Committee of this House, over which he had presided, investigated the whole subject some years ago, examining all the highest railway authorities in the kingdom, and devoting many months to the inquiry. They reported to this effect—

> " It is therefore the opinion of the Committee that it is incumbent on the Board of Trade to apply to Parliament for such further powers as might enable them to carry out the recommendations which the Committee believed to be calculated to diminish the number of railway accidents."

With one or two trifling exceptions, however, none of the recommendations of the Committee had been carried out; and though the country was always being told that something would be done, nothing, in fact, had been done. He was at present perfectly acquainted with the views of his right hon. Friend the President of the Board of Trade upon that subject, and he thought he could give to the arguments of his right hon. Friend against the Motion the most complete answer. The first, and what he might call the "great stock-in-trade" argument of his right hon. Friend, was that they ought not to interfere in the matter, because if they did they would destroy the responsibility of railway directors. Now, that was an argument which in his (Mr. Bentinck's) opinion was entirely inapplicable in the present case. It was not possible to prove that by investing some department of the State with powers to issue certain regulations for the conduct of railway traffic, you would in any way diminish the responsibility of railway directors. So far from this, you would thereby add greatly to such responsibility, because in addition to the various precautions which railway Boards now took, new precautions would be enforced by the Government. Another argument was, that the heavy penalties to which railway companies were subjected in the payment of damages for accidents occurring on their respective lines were perfectly sufficient to insure the adoption of every possible precaution. No doubt these penalties were very large. But the argument that they were sufficieut was entirely disposed of by the fact that in the last year they had increased in the ratio of 50 per cent. It should also be remembered that these penalties represented nothing like the money annually paid by the companies as compensations for railway accidents. What the sums paid in compromised cases really were he did not know; but he believed they were pretty nearly as large as those awarded by juries, and perhaps even were in excess of them. There was another important aspect of that question. A medical gentleman, whose attention had been directed to the subject, and whose work had been sent the other day to him (Mr. Bentinck), stated that many persons who were at first supposed to have sustained no injury from railway accidents were afterwards ascertained to have suffered from the effects of concussions even more severely than people whose cases had originally attracted considerable notice. It followed, therefore, that there were many accidents arising out of railway travelling which did not appear in any Return, that serious consequences often arose, and though, in the first instance, no damage was supposed to be done. This resulted from collision, and though no bones might be broken, very serious injury from concussions frequently ensued. He would now refer to what appeared to him a most untenable argument put forward by his right hon. Friend against any interference with railways. His right hon. Friend stated the large number of persons travelling annually by railway, and then added that out of that number only a small portion were killed. Nevertheless, if it could be shown that that percentage, however small, could be reduced by the adoption of certain precautions, it became the duty of the Government to see that those precautions were adopted. There was another class of accidents which never found its way into the Reports; namely, the accidents to the actual servants employed by the railway companies. It had been stated to him by a Member of that House, actively employed in the management of one of the greatest railway companies, that within a very short space of time nineteen of the company's servants had been killed, and forty-five wounded in the performance of their duty on the line. These accidents arose from the termini stations having so little space and standing room that the railway servants were liable to be run over and cut to pieces. The Gentleman who made that statement to him admitted that the stations in question ought to be enlarged, but added, that as the alteration would cost £20,000, and would consequently diminish the dividends, the shareholders would complain. The director of another great line told him very much the same thing only yesterday, observing that the adoption of certain precautions would tend very greatly to diminish the number of accidents, but that it would also diminish the dividends, and then the shareholders would turn out the directors, and appoint others to replace them. It came, then, to a question of money, and a certain amount of blood was to be sacrificed for the purpose of saving railway shareholders from a certain degree of expense; and it was for the House to consider whether they ought not to compel railway companies to adopt reasonable precautions for the security of life, although these companies should thereby incur an increased expenditure. There was one point in respect to which the present state of the law was anomalous, and he might almost say absurd. Before a railway could be opened for the purpose of traffic it must be inspected and certified to be safe by an engineer from the Board of Trade; but, afterwards, when once the line was opened, all further power of interference on the part of the Board of Trade ceased. The moment their certificate was granted neither they nor any other public body could in the slightest degree interfere for the protection of the lives of travellers. That was an anomaly which he (Mr. Bentinck) proposed to remove by the first portion of his Resolution. When an accident occurred the Board of Trade had no power to institute an inquiry respecting it. Railway directors, it was true, offered no opposition to inquiries respecting accidents, but he contended that that ought not to be the condition of things, and that some department of the Government should have full and ample power to institute such inquiries; and the intention of the first part of the Resolution he meant to move was to carry out that view. If a few simple precautions had been adopted there was good reason to believe that many serious accidents which had occurred might have been prevented. If that were so, and those precautions were not enforced, a very grave responsibility devolved on the House and the Government. There was not one reasonable precaution for preventing these accidents which might not be adopted by railway companies at a moderate expense, and therefore it could hardly be contended that the lives and limbs of the travelling public should continue to be sacrificed for the sole purpose of increasing the dividends of these companies. He would not go into the minute details, but what he asked for was prospective legislation; that security for inquiry, and that means of suppressing mal-practices which did not now exist. He wanted the Board of Trade, or some other department of the Government, to take means to lessen the probability of future accidents. Omission of duty on the part of railway companies or their agents, had led to accidents, and he wanted the Government to say to the railway companies, "You shall enforce certain precautions." As to the second part of the Resolution a strong responsibility rested with the Government. The question to be decided was whether the Government would allow the continuance of a state of things which caused annually a great sacrifice of human life, and many broken limbs, occasioned by the desire to increase dividends. He trusted that the House of Commons would not sanction this state of things. He was not making a charge against railway directors, who had the difficult task to perform of protecting the public on the one hand, and giving satisfaction to the shareholders on the other; but his opinion was, that a large body of the railway directors were in favour of the powers which he proposed to grant. He hoped the House would not be carried away by the arguments of his right hon. Friend or of the able men who filled the office of railway directors, but would perform the duty which they owed to almost every man, woman, and child in the kingdom by taking those steps to ensure the public safety for which they must be held responsible.

Mr. JACKSON, in seconding the Amendment, thought a divided responsibility one of the worst evils that could exist in this matter. The Government would not take upon themselves any responsibility for the management of the railways, and yet they claimed the power of overriding them. A line could hardly be opened without their consent, and they sent down men to inspect railways who had never assisted in the making of a single mile—putting inexperienced men over men who were experienced. But while they assumed all that power they declined to adopt any responsibility, and the public did not know to whom they were to look. It seemed to him singular that the Board of Trade should be averse to do that by law which they at present did illegally.

Amendment proposed,

To leave out from the word "That" to the end of the question, in order to add the words "in consequence of the frequency and of the increasing number of Accidents on Railways, and the absence of any power in the executive Government to interfere for their better prevention, it is, in the opinion of this House, desirable that power should be vested by Act of Parliament in the Board of Trade, or in some other Department of the Government, to institute an inquiry into the causes of any accidents which may occur on Railways, with powers to call for all papers and to examine witnesses on oath; and that powers should be vested in such Department to frame and issue from time to time any regulations for the conduct of the traffic on Railways which it may deem necessary for the safety and convenience of the public; and that all Companies or persons engaged in the conduct of Railway traffic shall be bound to adhere to such regulations under such penalties as may be prescribed by Act of Parliament,"—(*Mr. Bentinck,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. THOMPSON believed, that there was nothing which railway directors had so much at heart as the prevention of accidents; and if he thought one serious accident would be prevented by that Resolution he would give it his most cordial support. Instead, however, of its doing that, he was decidedly of opinion that the first part of the Resolution was unnecessary, and that the second would be mischievous. The first part was unnecessary because the Board of Trade now had and constantly exercised the power of instituting inquiry in cases of accidents and of calling for papers. The second part, requiring the Board of Trade to frame regulations for the management of railways, would be mischievous, because it would lead to a divided responsibility, which must inevitably increase the number of accidents. The result would be that when the regulations were issued there would be a conflict of authority on the occurrence of an accident, those who were concerned in it throwing the blame upon the regulations, and the Board of Trade in turn, naturally saying that the blame rested with those who had not carried them out properly. The wisest course was to keep the full responsibility on the companies; but, speaking merely as a director, he would be extremely glad if the Board of Trade undertook the responsibility of making regulations for the prevention of accidents. He should be happy to give the hon. Member for West Norfolk an order enabling him to travel a few miles on an engine where there was a good number of crossings and junctions, and if the hon. Gentleman would only look at the working of a line in that way, and would spend a few hours in that part of a crowded station where the work was done, he would soon become convinced that to meet the ever-varying requirements of railway traffic it was absolutely necessary that those who had to manage and control that traffic should have power to alter their regulations so as to adapt them to circumstances. On these grounds, then, and remembering also that a Royal Commission would shortly issue to consider many important points connected with railway management, it was to be hoped that the House would negative that Resolution and leave responsibility where it now was, and where alone it could safely rest.

Sir FREDERIC SMITH said, that as far back as 1841 the question had been before the House. It was gravely considered, and a Select Committee was appointed to ascertain whether or not it was desirable that the Government should exercise control over the railways. Mr. Labouchere, now Lord Taunton, was then at the Board of Trade, and was of opinion that that power should be vested in his department. Being himself at that time Inspector General of Railways, and the first officer appointed to that post, he was himself also then of opinion that power should be vested, as now proposed by his hon. Friend, in the Board of Trade. The proposition was, however, opposed by the Stephensons, the Brunels, and all the leading men of that day connected with railways, and after a long investigation it was the opinion of the Committee, which was composed of many of the most distinguished Members of the Legislature, such as Sir Robert Peel, Sir James Graham, Lord Granville Somerset, &c., presided over by the present Duke of Somerset, that it was very undesirable to interfere with the control of the working of the railways in any manner. Since the Committee had made its Report, the companies had shown every disposition to acquiesce in the suggestions of the Board of Trade; and looking at the immense amount of capital which was invested in railways, the vast interest which the proprietors had at stake, and the extensive experience which the managers possessed, it seemed very questionable to him whether any officers of engineers, however talented, would be able to issue regulations that would be better than those already in force. No doubt in the early days of railways the suggestions made by the Board of Trade, which were discussed very frankly with engineers and directors of companies, led to great good, and sound regulations were established by the different railway companies. But it would be much more difficult for a public department with officers constantly changing to establish sound regulations, and to take on itself the great responsibility that at present rested entirely on railway companies. Engineers were very competent to decide as to the soundness and safety of a railway, but it was a different matter to call on them to say what regulations should be adopted to prevent accidents. The Board of Trade would take on itself a great responsibility if the Government adopted this Motion. To a certain extent he agreed with his hon. Friend that there ought to be power to examine on oath and to call for papers, but when he came to the issuing of regulations for the guidance of railways he did not think they were competent to that. They had not a staff to carry it out. They would almost require an officer of engineers on every railway in the kingdom to see its daily working. For how did accidents arise? Not from want of system, or very rarely so, but from some laxity in the persons employed. The men employed were generally well calculated for the work, but sometimes they were overworked, and men were naturally less on the alert at one time than at another. Then there was the great amount of traffic. Accidents probably could not be altogether prevented, and though their number might perhaps be lessened, it must be by using greater vigilance and caution, and not by the adoption of any regulations such as the Government would be likely to issue. At any rate, he did not think the regulations of the Board of Trade would have that result, and when an accident occurred caused by adherence to the regulations of the Board the Government would appear to have undertaken an enormous responsibility. When an accident now occurred the railway company had heavy charges to meet. There was the cost of the carriages destroyed, the destruction of the road, the loss of traffic, and the compensation to the sufferers. These were equivalent to a heavy fine, and nothing more could be done than to levy a fine if the regulations issued by the Board were broken. Why take on themselves the responsibility of doing in a great degree the work of the railway companies? The railway companies were bound to consider what was sufficient for the public, and what was most economical for themselves. The prevention of accidents was, after all, the most economical system of management. He could not support the Motion of his hon. Friend.

Mr. MILNER GIBSON said, his hon. Friend had not quite correctly represented the responsibility which was now undertaken by the Board of Trade in reference to railways. The Board of Trade did not sanction or make itself responsible that any railway was as perfect as it could be previous to the opening. All it did was this—to send an inspecting officer, who was to report as to the condition of the permanent way, locomotive power, and so on; and if the Board of Trade thought on that Report there was such an amount of danger to the public that the line ought not to be opened, they prevented its being opened for public traffic. If they did nothing on the Inspector's Report the line would be opened as a matter of course. With regard to the Board of Trade undertaking to make particular regulations for the traffic on railways he thought the remarks of the hon. and gallant Officer who had just sat down ought to have weight. The hon. and gallant Officer spoke with authority, for he had experience as one of the first Inspectors General of Railways; he, therefore, knew what power a Government Department could usefully exercise with reference to the regulation of the traffic on railways. With regard to the first part of the Motion of his hon. Friend, he thought it was unnecessary that on the occasion of every accident a public inquiry should take place and evidence be taken on oath. That would render necessary the creation of an expensive and troublesome machinery without any adequate public object in view. It could not be denied that the system of inquiries at present pursued was successful so far as ascertaining the cause of every accident. The present might or might not in the opinion of some be a bad mode of procedure, but as a matter of fact, looking at the results, they found that the Inspectors arrived at what was desired—namely, the cause of the accident. Whenever an accident occurred the Board of Trade sent down skilled and disinterested persons—the Inspectors of Railways, who examined into the matter in their own way; they had a right to look at the permanent way, and at all the rolling stock of the company. They got from the railway company any information they required (such information had never been denied); they made their Report, which was sent to the railway company, thus giving them an opportunity of replying to the statements that had been made, and also of taking the precautions that might appear to be necessary in consequence of the accident and the inquiry. That Report was afterwards laid on the table and published. He could conceive no better plan than the sending of skilled and disinterested persons to make inquiries in all cases of accident, and to publish the results, so as to bring public opinion to bear on railway companies, and compel them to take what appeared to be necessary precautions. It was said that Railway Inspectors did this by order of the Board of Trade without a distinct authority from any Act of Parliament. It might be true that these Railway Inspectors were not authorized by any Act of Parliament to make the examinations which were made whenever any accident took place; but, nevertheless, he thought it was clear that Parliament had contemplated such inquiries, because it was enacted that after every accident a Report should be made to the Board of Trade. It was further enacted that the Board of Trade should have power to send Inspectors to examine into the state of any railway at any time the Board should think fit, and the two enactments together —that there should be a Report in the case of every accident, and that Inspectors should have powers to examine into the state of any railway—led to the inference that Parliament must have contemplated these ininquiries. These inquiries were conducted from that view of the state of the law, and it was his belief that they had been productive of very great benefit, and nothing would be more unadvisable than to interfere at this time with what was now going on. Why put compulsion on the railway directors when they were found voluntarily coming forward to give the information required? His belief was, if they established the course of procedure recommended by his hon. Friend (Mr. Bentinck)—a sort of public inquest, with all the witnesses examined on oath, counsel being probably employed on one side and the other—difficulties would be thrown in the way by railway companies, who would look on such as a sort of prosecution; and after all, they might not reach what they now arrived at—the real cause of the accident which occurred. There was another reason why he thought they should not adopt the Resolution of his hon. Friend. It had been stated by the hon. Gentleman the Member for Whitby (Mr. Thompson) that there was to be a Royal Commission to inquire into the railway system of the country. The primary object of that Royal Commission undoubtedly was not to inquire into the question of providing for the public safety; but when his hon. Friend saw the terms of the Order of Reference he would find that the Commission was distinctly directed to report their opinion as to whether, by any change of the law or otherwise, it might be possible to provide more effectually for the safety of public traffic on the railways. It would, therefore, be premature, at this moment, at any rate, for the House to agree to such a Resolution as that moved by his hon. Friend, and he hoped that itself, without going further into the argument, would be a sufficient reason for him to give why the Government could not consent to this Resolution. He thought his hon. Friend had done good in having turned his attention to the subject of railway accidents, because inquiry had excited an amount of public notice which could not fail to influence to a considerable extent the action of railway directors throughout the country. He could not, however, at all concur in the idea that a Government Department could with advantage lay down any detailed regulations for the conduct of railway traffic. Whatever it could do in that direction must be very general in its character, and he hoped that his hon. Friend would under the circumstances, be satisfied with the statement which he had made, and not press his Motion to a division.

Mr. LEFROY thought, that the public

must feel deeply indebted to his hon. Friend for bringing this subject before the House. At the same time he (Mr. Lefroy) trusted that the explanation given by the President of the Board of Trade would remove any idea from the mind of his hon. Friend of dividing the House upon his Motion. That explanation, as regarded the appointment of a Royal Commission—by means of which he trusted that the doubt and uncertainty at present existing, as to the occurrence of Railway accidents would be removed—a Royal Commission to inquire into the whole matter was most satisfactory. Although, speaking generally, he was opposed to a divided responsibility, nevertheless, in the peculiar circumstances of the present case, he was of opinion that it was desirable that a portion of responsibility should be cast upon some Department of the Government.

Mr. RICHARD HODGSON observed, that one of the statements of his hon. Friend the Member for West Norfolk was almost incredible, namely, that, as he had been informed, no less than nineteen of the servants of a particular railway company had been killed and forty-five railway servants had been wounded, in consequence of the numbers of accidents which had occurred, occasioned by the failure on the part of the company to make arrangements, and afford proper accommodation at a particular junction and terminus, and that a sum of £20,000 would have been sufficient to have removed the cause of those disasters. Now, until he heard the name of the company and the place where the accidents happened, he (Mr. Hodgson) must withold his belief from the possibility of such a statement being true. He could not believe that any board of directors would run the risk of such a number of accidents for the sake of an expenditure of £20,000 to improve any station or junction. He for one should have no objection to such an alteration in the law as the hon. Member for West Norfolk suggested, provided that the Board of Trade, in issuing their regulations for the conduct of the railway traffic, would also assume the responsibility of any accidents occurring in consequence. He believed, however, that such a system, instead of preventing accidents, would tend greatly to increase their number. With regard to the preliminary investigation proposed to be made by the officers sent down by the Government in the case of accidents, it appeared to him that if power were given to the officers to administer oaths, truth would be more seldom elicted than at present under the inquiries which were made by the Board of Trade. The inquiry in such a case would assume all the features of a trial by law, and it would be the interest of all persons implicated to conceal the truth; whereas the examinations of the Board of Trade Inspectors frequently elicited facts which were readily made the ground of subsequent actions at law for damages against the companies, and at the trials the evidence both of the witnesses before the Inspectors, and of the Inspectors themselves, was available. Upon these grounds he was prepared to vote against the entire proposition of the hon. Gentleman, and he trusted that the House would never sanction the principle that a Government Department should interfere with the internal arrangements of railways, unless it was also proposed to accept the responsibility of securing the public against accidents.

Mr. BENTINCK said, that after the statement made by his right hon. Friend the President of the Board of Trade (Mr. Milner Gibson) to the effect that this question would be considered by a Royal Commission which was about to issue, he would not trouble the House by dividing.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

WAGES IN DOCKYARDS.

OBSERVATIONS.

Mr. FERRAND: Sir, in asking the permission of the House to bring under its notice the great inequality of the wages paid to men employed in dockyards, I am sorry I cannot assent to the recommendation of the noble Viscount to postpone my Motion in order that he might at once proceed with the consideration of the Naval Estimates in Committee. There are no less than 16,000 men employed in the various Royal dockyards, every one of whom, I may say, takes a deep interest in this question. The artificers of Her Majesty's dockyards constitute a body of men of the greatest value to the country, and are second to none of Her Majesty's servants in their utility and loyalty. Many of them are descended from the earliest builders and constructors of the Royal Navy. They have made repeated claims upon the Admiralty, all of which have been neglected or ignored. They, therefore, think that the time is now come for making an appeal to the House of Commons, and for having their peculiar case fairly placed before the Members of this House, being of opinion that the representatives of the people will do them justice and grant their request. Sir, these men have been now applying to the Board of Admiralty for several consecutive years, in the shape of a memorial, which the noble Lord the Secretary of the Board of Admiralty (Lord Clarence Paget) said, last Session, was most respectfully worded, and in which they put forward claims that were most reasonable. The noble Lord also at that time expressed his belief that if they would be patient, in a short period of time their claims would be satisfied and redress granted them. Well, Sir, they have waited patiently up to the present time, and no redress has been given them. They have once more memorialized the Admiralty, and again once more have their claims been rejected. I am sorry to say that this refusal of the Board of Admiralty to concede their just demands has produced a great amount of ill-feeling amongst the men employed in the Royal dockyards. I may safely say, that in these dockyards there is not one class of workmen without a grievance. I now ask the indulgence of the House, whilst I submit their case to its consideration, from a conviction that I shall be able to show the justice and reasonableness of their claims even from the admissions and sentiments of the noble Lord the Secretary for the Admiralty, and the hon. Member for Halifax (Mr. Stansfeld) whilst discharging the duties of a junior lord of the Admiralty last year. The hon. Member for Halifax has almost proved my case, because he admitted that the wages of the shipwrights employed in private dockyards amounted to 7*s.* a day, and by piecework they generally made 9*s.* a day; while similar officers in Her Majesty's dockyards only received about 4*s.* 6*d.* a day. On the 14th of March last year, the hon. Member for Halifax (Mr. Stansfeld) gave the House an account of a self-imposed roving Commission to inquire into the dockyards—of which he happened to be at the time as ignorant as it was possible for a man to be. He also stated that he had visited the private yards at Millwall and Birkenhead:—

> "That in private yards day-work shipwrights, or men occupying an equivalent position, expect 7*s.* a day, whilst by piecework they generally make 9*s.*; that the shipwrights in Her Majesty's yards get 4*s.* 6*d.* a day, to which another 6*d.* may be added for the value of their superannuation. My own opinion is that while on the one hand it would be unwise to throw away the positive advantage of a moderate minimum establishment of men moderately paid, upon whom we can rely at a time of pressure, and when the labour market may offer peculiar temptations; so, on the other hand, it is well worthy of consideration, how far and under what circumstances the Admiralty may take a hint from the private yards." [3 *Hansard* clxxiii. 1955.]

Such was the opinion of the hon. Member, and I hope that the expression of the opinion of this House will induce the Admiralty to take a hint from private yards. Now, in respect to this superannuation, I shall, I think be able to prove that instead of its being of any value to the men, to a great portion of them it is of no value whatever, and that instead of its being of the value of 6*d.* a day to any, it really amounts only to 3*d.* a day. The artificers of Her Majesty's dockyards have a most fair and righteous claim to have their wages raised, when it is considered that their pay shows a difference of 2*s.* a day, when compared with that of the artificers employed in private dockyards, the difference being wholly in favour of the latter. I will take the hon. Gentleman's own admission as a complete justification of that claim when he said that the shipwrights employed in Her Majesty's dockyards received 2*s.* a day, or 12*s.* a week less than those employed in the private dockyards of Millwall and Birkenhead, and thus it appears that the artificers were receiving 13*s.* 6*d.* a week—taking the superannuation not at 6*d.* but at 3*d.* per day, which is its real value—less than the same class of men employed in private dockyards. Now, I ask whether it is possible that men who are knowingly receiving 13*s.* 6*d.* a week less in the Royal dockyards than those employed in private dockyards can rest satisfied with the belief that they receive a fair day's wages for a fair day's labour. But this sixpence a-day for so-called superannuation—I insist that this should not be considered as any portion of wages at all, for the country greatly benefits by the present system of superannuation. I received the other day an able letter from a person residing in Devonport, who takes a great interest in the question of dockyard wages. I beg leave to read a few words from it, because I think that they will show better the real value of this superannuation allowance than any statement of my own. The writer says—

"If the Admiralty contend that superannuation is given as a compensation or equivalent for the scale of wages paid in Royal dockyards, then, in reply, I state that not 3 per cent of the men ever live to get superannuation at all. This is a fact, and can be proved; and those men who do leave the yard upon their superannuations do not, on an average, enjoy their pensions more than from three to five years. Again, when it is considered that the wages of the Royal dockyards are so much under private yards, the men, by receiving so much less wages, are actually contributing towards the superannuation fund all the years they work; and as only one man to every thirty receives superannuation the country positively benefits, as insurance companies do, by mulcting the men of their proper wages."

I now feel that I am perfectly justified in saying that the artificers of Her Majesty's dockyards are mulcted to the extent of 1*s.* 6*d.* in the £1 for this superannuation fund, because it is proved that only 3 per cent ever live to enjoy it. I will now read a few lines from the minutes of evidence taken before the Committee of Inquiry into the Dockyards in 1858. Mr. Penfold, the late Accountant at Woolwich, a very experienced gentleman, made this statement—

"The numbers who live to benefit by the superannuation fund amount only to about 2 per cent."

Now, this is the evidence of a gentleman of a high position, and a valuable public servant. The other day I had sent to me a statement of the various men employed in Her Majesty's dockyards, together with their wages. Great care has been taken in the drawing up of this document, so that the facts contained therein should be stated correctly. If the House will allow me I should like to read it, as it materially affects the interests of 16,000 of Her Majesty's servants employed in the Royal dockyards. I am anxious to obtain the attention of the House to the case which is here disclosed, in order to elicit such an expression of opinion as will induce the Board of Admiralty to grant the request of these much aggrieved men:—

"Statement showing the Average Rate of Wages in Private and Royal Dockyards.

Shipwrights.—Birkenhead, 7*s.*; London, 7*s.* 6*d.*; Falmouth, 5*s.*—average, 6*s.* 9*d.* in private yards, against 4*s.* 6*d.* in Royal yards.

Joiners.—London, 6*s.*; Liverpool, 6*s*, 6*d.*; Plymouth, 5*s.*—average, 5*s.* 10*d.* in private yards, against 3*s.* 10*d.* in Royal yards.

Smiths.—Average, 6*s.* in private yards, against 5*s.* 2*d.* in Royal yards.

Sailmakers.—London, 6*s.*; Liverpool, 6*s.*; Bristol, 5*s.* 6*d.*—average, 5*s.* 10*d.* in private yards, against 3*s.* 10*d.* in Royal yards.

Riggers.—Liverpool, first class, 5*s.* 6*d.*; second class, 5*s.*—average, 5*s.* 3*d.* in private yards, against 3*s.* 9*d.* in Royal yards.

Ropemakers.—Liverpool, average, 5*s.* in private yards, against 3*s.* 10*d.* in Royal yards.

Sawyers.—Average, topmen, 4*s.* 6*d.* and pitmen 4*s.* in private yards, against 3*s.* 10*d.* and 3*s.* in Royal yards.

Labourers.—London, 3*s.* 6*d.*; Liverpool, 3*s.* 6*d.*; Plymouth, 3*s.*—average, 3*s.* 4*d.* in private yards, against 2*s.* 3*d.* in Royal yards.

Bonded Warehousemen.—Country averages, 5*s.* in private yards, against 3*s.* 6*d.* and 3*s.* in Royal yards.

In the Royal yards these men are under a bond of £100 for the safe custody of stores"

Now these men—who amount to a body of no less than 16,000, have sent me this clear and intelligible statement under the firm conviction that it cannot be denied or refuted. It discloses an inequality of wages between the Royal and private dockyards—being a state of things which it is impossible for the Board of Admiralty to justify. Under such circumstances it is idle to expect that the men thus aggrieved can perform their duty with either vigour or spirit. Upon the 4th of March last year, the noble Lord the Secretary for the Admiralty made a statement which I will now read to the House:—

"He was quite aware that the artificers of Her Majesty's dockyards did not receive that amount of pay which they might get in the private trade; and that remark applied not only to the joiners but to all the artificers. He should be very glad if the Admiralty could comply with the reasonable desires of the artificers, because he knew their merits; and if they waited patiently for a short time, as the establishment was very nearly down to its proper number, a flow of promotion into it would take place which he was positive would be satisfactory. Hon. Gentlemen should remember when they talked of increasing the pay in the dockyards that they had some 16,000 or 17,000 men to deal with, and to increase it even by sixpence a day, which was no very large addition after all, would make a difference of upwards of £100,000 a year. Speaking conscientiously of the matter, there was not the least doubt that the men in Her Majesty's dockyards were not paid at the full market value for labour of that description. But then they had many advantages over the men in private yards. For instance, their employment was continuous, but in private yards shipwrights were often discharged on a wet day and received no pay. Again, the artificers of Her Majesty's yards when hurt were allowed to receive half their pay.—[3 *Hansard* clxxiii 1977.]

Now, I remember when the noble Lord made the statement that an addition of only sixpence a day would make an addition to the expenditure of the country of about £100,000 a year, a nnmber of hon. Gentlemen sitting below the gangway, and who represented the Financial Reformers, cried out loudly "hear, hear." Is England, I would ask, so very depressed that she cannot afford to pay these men even an additional sixpence a day, because it would involve her in an augmentation of expenditure of £100,000? I have no doubt that in a short time we shall hear the Chancellor of the Exchequer standing at the table making a popularity hunting statement, in which he will boast of the great prosperity and enormous wealth of the country. Now, suppose the artificers of the Royal dockyards should take a hint from private yards, as the hon. Member for Halifax (Mr. Stansfeld) hoped the Admiralty would do, and seriously demand the reason why they should be paid less than those employed in private dockyards, what would be the natural consequence? You argue the question with reference to the total cost of £100,000; but I say these men are justly entitled to argue it with respect to the difference betweeen the pay in private dockyards and in the dockyards of the country. The noble Lord, in the concluding part of his remarks last year, alluded to the many advantages which he said the dockyard men had over workmen in private yards, and among those was that their employment was continuous, while in private yards shipwrights were often discharged on a wet day and received no pay. I have made inquiries, and have been told by a gentleman largely engaged in shipbuilding that the men were very seldom discharged—that if they worked the first portion of a day which turned out to be very wet, it was optional with them to work or go—and that only occurred when the ship had not been long on the stocks, but that when it was approaching completion there were plenty of ways of employing the men under cover. Again, the noble Lord said that the men employed in the Royal yards when hurt received half-pay. The advantages therefore are equal. The same gentleman states that he knew of private shipbuilding yards in which when the men were hurt, they not only received pay when so disabled, but that their wives and families were frequently supported by the owners. These men have waited patiently since last year. They have memorialised the Admiralty, but their prayer has been refused, and they have asked me to state their case to the House. All they ask is that the Government will increase the pay of the workmen sixpence a day all round the yards, leaving 1*s.* 6*d.* a day to the advantage of the Royal over private yards. I think that is a reasonable request. So strong a feeling exists in the Royal dockyards that the men are not fairly paid that I am certain unless their grievances are redressed the public service will suffer. An addition of sixpence a day will amount this year, not to £100,000, but only to £68,660. In the borough which I represent the increase for 2,200 men employed in the dockyard of that place will amount to only £17,160. That is all that is required to enable the men to live in comfort. You ought not to forget that within the last few years every article of food, with the exception of bread, has increased from 20 to 40 per cent. Coals, cotton goods, and cloths have, moreover, more than doubled in price. In addition to this, the men complain that they have great difficulty in giving their children the education necessary for them to stand the competitive examination for Government employment. I have no doubt that the hon. Member for Pontefract (Mr. Childers) is perfectly well acquainted with the statements in the memorial which the artificers have presented to the Admiralty, and I do not think he will be able to refute them. No memorial could be more respectfully worded. I have said that there is not a class of workmen in the Royal dockyards which has not a grievance. The factories have been in existence twenty-five years; but the factory workmen are refused superannuation. Upon this point the Committee appointed to inquire into the economy of the dockyards remark:—

> "That having considered the subject of superannuation in reference to the workmen of the factories, the Committee are of opinion that as they are necessarily working in combination with the men of the dockyards, it will be expedient to devise a system by which provision shall be made for the old and valued servants in the factories when incapacitated by age for further work. The Committee have come to this conclusion from the conviction on their minds that after the factories shall have existed for a lengthened period, and after a number of old workmen of merit and long service shall have been discharged therefrom on account of their age, claims for a superannuation allowance by these men would be made with a force that it would be impossible to resist."

I believe that in iron ship building the destruction of clothes is much greater than what takes place in building wooden ships. The sawyers complained that they did not enjoy the 4*d.* a day of additional pay received by some other classes of workpeople with whom they used to rank equally.

The dockyard labourers received only from 12*s.* to 14*s.* a week—less than agricultural labourers were paid in many parts of England, though their cottage rent was not more than one-third that of the dockyard labourers, who had to reside in the towns. The noble Lord tells us that the country cannot afford £100,000 for the object I propose. How can private shipbuilders afford it; and how can they build ships for you, paying their artificers 7*s.* 6*d.* while you pay your men only 4*s.* 6*d.* a day? I am sorry to think that the best men are leaving your dockyards in order to get employment in private yards. The noble Lord says that he can get as many workmen as he wishes. Yes; but do you get the same class of men at 4*s.* 6*d.* a day which the owners of private yards get at 7*s.* a day? I deny it. A few cling to the dockyard I do not doubt; but I believe numbers of your best men are continually leaving for private yards. I believe the statement I have made cannot be contravened. I have been requested to make this appeal by the artificers, and I have done so in the hope that other Members will help out their case so as to elicit an expression of opinion by the House which will induce the Admiralty to take their most reasonable claim into consideration.

Sir JAMES ELPHINSTONE said, he could corroborate what had fallen from his hon. Friend on this subject, but as he understood that hon. Gentlemen who had notices on the paper on going into the Committee were acceding to the request of the noble Lord by postponing them, he should reserve his observations until the Vote came on for discussion in Committee.

Mr. CHILDERS said, his hon. Friend had made his remarks in a very temperate tone, and he should endeavour to follow him in that respect, but it was his duty, speaking for the Admiralty, to ask whether this was a subject with which the House could advantageously deal. Here were 16,000 men employed in a public Department and distributed among the principal maritime stations of this country. Now, so long as the Executive Government were responsible for the management of these dockyards, and were constantly told by both sides of the House that dockyard work ought to be more economically executed, and that ships might be more economically constructed in private than in the Royal yards, was it right that hon. Members representing those dockyard towns should propose that the wages of the men employed there by the Government should be increased by this House? If that principle were carried out, if persons connected with the army were to ask for an increase of pay for the army, persons connected with the navy were to urge the claims of the sailors in a similar manner, and persons connected with the dockyards were to ask for an increase with the dockyard labourers, there really would be no end to such applications. In fact, it would become quite impossible for the Government to keep the finances of the country in order, if Parliament gave any countenance to such appeals. His hon. Friend did not appear to know much of the manner in which public work was dealt with at the dockyards. It was certainly a novel proposal to take the wages of so many different classes of workmen as much as 200 and 300 per cent, and to ask an increase of 6*d.* a day all round. On the face of it such a proposition was not logical, and he was sure the House would not adopt it. As his noble Friend the Secretary to the Admiralty (Lord Clarence Paget) explained last year, the increase asked for, small as it might sound, would involve a very heavy outlay. If they raised the wages in the dockyards, they must do the same in the victualling yards, and in the hospitals, and indeed generally throughout the Government Establishments. There were 16,000 men in the dockyards, and if they increased their pay 6*d.* a day, they must, in like manner, increase the pay of the men employed in the victualling yard and other departments. But taking simply the proposition to increase the wages of the dockyard men 6*d.* a day, what would be the result? Sixpence a day, including Sundays, would make £9 a year and a little more, and if given to 16,000 men would amount in the year to £145,000. Omitting Sundays, and including other departments besides the dockyards, which must of course follow, the increased charge would be nearly as great. This would form a very serious item in the expenditure of the country, and would make itself apparent in the Budget. His hon. Friend had missed the point of what his noble Friend said last year. His noble Friend said that the position of the dockyard men would soon be much improved, and already he could say that that had come to pass. Hitherto the Dockyard Establishment had been very much in excess of the proper number, and it was only this year that it had been reduced to the prescribed point. While that reduction was being made hired men had but little promotion to the establishment, but now they would be able to obtain a steady flow of promotion to the establishment without having to wait so long as would otherwise have been necessary. His hon. Friend would see by turning to the Estimates that the establishment had been reduced to the number fixed by the Order in Council of June, 1850, and in this respect, therefore, the men were placed in a very much better position. There was another matter in which their position had been greatly improved, and that was the introduction of the rule under which men were superannuated at sixty-five, and in certain cases before that age. That was not the rule until lately, and he believed nothing had done more good to the body of dockyard men than the establishment of that rule, which brought forward younger men to early promotion. His hon. Friend had referred to some of the advantages which men in the dockyards enjoyed over those in private yards, but he had made far too light of them. It was a decided benefit to the former to have superannuation, covered yards for working in, holidays when they were sick, and, above all, continuous employment. Every now and then, when business was slack, the private yards suddenly discharged their hands, whereas in the Royal Dockyards they were kept on from year's end to year's end. It had been said that only one man in thirty received superannuation on the authority of some anonymous letter; but, if the benefit was so trivial, why did his hon. Friend make it a grievance that the factory men did not receive it? The fact was that with 9,600 established men in the dockyards, 3,000 were on superannuation, including a few men belonging to the victualling yards. There were about one in four men upon superannuation compared with the number on the established list. Last year alone no fewer than 337 men were superannuated out of the established men in the dockyards, or one in every twenty-eight. His hon. Friend forgot that the benefits of superannuation were now greater than before, and the men in the dockyards would certainly be very reluctant to surrender them. The Government could not be charged with what his hon. Friend called "doing" the dockyard people out of £400,000 when they were in the enjoyment of the advantages he had enumerated. The best proof that there was no ground for the charge was that there was no tendency on the part of the dockyard men to go away. That was another point on which the hon. Gentleman was quite mistaken, as he could show by Returns he had procured. There were 9,600 established men in the dockyards. Of these only seventeen had left the service in the last three months. There were 5,792 unestablished men, who were free as air, and had nothing to retain them but the immediate benefit of their pay, and of these the total number who left in the same period was only 163. He put it to any Member acquainted with private yards whether there was not from them a greater movement of men than from the Royal yards? The pay of the men was by no means so comparatively small as his hon. Friend represented. The average pay of established men was 24*s*. a week, of unestablished men 21*s*., and of factory men 23*s*. The fact was that the dockyard men were excellent artificers; they were well paid and were attentive to their duties, and he did not think his hon. Friend fairly represented them if he thought they complained that they were "done" out of £400,000. He believed they were paid not indeed a high but a fair rate of wages, and he hoped the House would not countenance the intention, however good, of his hon. Friends in coming forward, they representing large dockyard constituencies, and asking the House to add £150,000 a year to the Navy Estimates, for those boroughs.

Main Question put, and *agreed to.*

SUPPLY—NAVY ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

LORD CLARENCE PAGET: Sir, in rising to move the Navy Estimates for the year 1865-6 I find that, in addition to the many interesting topics on which this House and the public are very naturally and properly desirous of receiving information—and which information I have always been anxious to give—it is my duty on the present occasion to make a very large and somewhat novel proposal to the House concerning the construction of docks and basins, not only in the United Kingdom, but also in the colonies. With so many of these interesting subjects before me, I am afraid I shall have to ask for a considerable share of the indulgence of the Committee. With these preliminary observations I venture to request the attention of the Committee to the chief features of the Navy Estimates.

First of all, with regard to the form of the Navy Estimates for the coming year 1865-6. There are some items that are removed from one Vote to another, as being more appropriately introduced under those Votes. There is also an Appendix, giving an explanatory statement of the Votes, which I commend to the attention of all hon. Gentlemen who take an interest in questions of detail with regard to the number and pay of officers and men in the navy. They will see a very clear statement of every class of officers, and the pay and the number of officers and men for which we propose to ask.

I will now state to the Committee that Her Majesty's Government propose that the total amount to be voted for the Navy Estimates for the coming year of 1865-6 shall be £10,392,224. Those of the current year 1864-5, including two supplementary Estimates that I brought forward late last Session—one being for £220,000, for the purchase of the two steam rams at Liverpool, and the other of £61,000 for additional pay to the officers and petty officers of the fleet—amounted to the gross total of £10,708,651. Therefore there is a decrease on the gross Estimates of the present year of £316,427. Excluding, however, the purchase of these steam rams, which may come under the head of "Extraordinary Service," and including the additional item for increasing the full pay and the extension of retirement of the officers, which the House in its generosity granted to the navy, and taking that Vote for the whole year instead of for nine months, the decrease of the Estimates for the coming year over the ordinary Estimates of last year is about £116,000. That is the decrease on the ordinary Estimates as compared with the Votes of the current year.

Sir, I propose to deal, first of all, with the Votes which have reference to the pay, allowances, victuals, clothing, and medical comforts of our Officers, Seamen, and Marines in the various services, and which are comprised in Votes 1, 2, and 12. The Votes for the coming year 1865-6 are somewhat remarkable in this respect that they show an increase over those of the current year although we ask the House to vote a less number of men. This is what I now wish to explain; and I will deal first with the numbers. The numbers that were voted for the current year were 71,950 men, while for the year 1865-6 we propose to maintain 69,750 men, being a decrease of 2,200 men. The decrease of seamen of the fleet is about 700 men. There will be a decrease of officers and seamen of the Coastguard of about 500 men, a decrease of Marines on shore of 1,000 men, and a decrease of civilians of 200 men, but an increase of 200 officers. With regard to civilians, the reduction is of aged persons who were formerly employed under the Customs and who are fast disappearing, and whose places are supplied by the Coastguard men. I propose to show to the Committee why we think it right to propose a decrease in the number of the seamen of the fleet. But lest any hon. Gentleman should feel alarmed when I propose a decrease, let me refer them to page 116 of the Estimates, in which they will observe the number of ships that were in commission on the 1st of December last year, as compared with the number in commission on the 1st of December of the previous year—I speak of seagoing ships, and not of harbour ships and tenders—and it will be seen that there is a decrease in the coming year of six seagoing ships. That was the state of the navy on the 1st of December last, and I am not aware that there is, or is likely to be, any change in these numbers at present. The Committee will, however, observe that while there is a decrease of six ships in commission, there are four more armour ships. I am, therefore, entitled to say that, although there is a decrease in our numbers, we are increasing our force. We find that as we go on commissioning the armour ships, the substitute for the old line-of-battle ships, two remarkable changes are coming about—namely, a gradual decrease of seamen and a proportionate increase of officers. I will illustrate this by a reference to the complements of two ships now in commission. The *Edgar*, a fine line-of-battle ship, the flagship of the Channel Squadron, has a complement of 810 men, or fifteen men to each officer; but the *Black Prince*, a ship of very much greater power, being armour-plated, has 705 men only, but her complement of officers is greater in proportion, for she has an officer to every twelve men. Further down the list I will take the *Wolverine*, a large corvette with a complement of 275 men, and a proportion of nine men to one officer; but the little *Enterprise*, an armour ship which would blow her out of the water, has only 119 men, but then her proportion is one officer to seven men. These figures will show the Committee the tendency of the change to armour-plated ships to decrease our complement of men, but to increase the proportion of officers. There is another and very important reason why the increase of so many as 200 officers is proposed. We find it is absolutely necessary and particularly in the absence of a proper body of artificers, of which I have never made any secret, and for which want we ought to provide, that there should be an increase of engineers, who are excellent workmen, and able to repair our engines. These are the reasons for the reduction of the men and the increase of officers. With respect to the Coastguard, we propose a reduction of 500 men. I know that the right hon. Member for Droitwich (Sir John Pakington) and others who take a great interest in that force will look with some jealousy at any decrease in it; but I will state the reasons which induced the Government to recommend the diminution. First of all, the Coastguard ashore is, though an admirably efficient, yet a very costly force, and it was our bounden duty to make inquiries whether, for the purpose of the protection of the revenue, it was necessary to maintain so large a force. The Commissioners of the Customs have been communicated with, and an inquiry is now going on; but they have made a preliminary report to the effect that some reduction of the Coastguard on shore might be made so far as the protection of the revenue is concerned. With regard to the Coastguard afloat, everybody knows the origin of that force. There was a time when we had no reserve for the proper defence of our shores, and hence arose this force of several fine ships attached to certain of our large mercantile harbours. The service the Coastguard afloat have performed has been inestimable. They have tended to break down the prejudices which existed between the merchant service and the navy, have assisted to man our ships, and have been one great cause of the success attending the formation of our Naval Reserve. They have fulfilled their duties admirably, but we find that there is no longer a necessity for keeping up so large a force of them, since we are furnished with a magnificent reserve—numbering, I believe, nearly 17,000 men now enrolled: therefore the strong necessity for the maintenance of the Coastguard afloat in its present magnitude no longer existing, we propose to make a small but gradual reduction in the force, which shall not at all diminish or impair to any extent its efficiency, but which we think due to the circumstances of the present day. Another reason why we may somewhat reduce this force is that we are looking forward to replacing these line-of-battle ships by armour-plated ships, and the moment we can carry out that object the crews of these ships will necessarily be reduced in number. These reasons will, I think, be deemed sufficient to justify the small reduction now proposed in respect to the Coastguard. With regard to the Marines, we propose a diminution of 1,000 men from the total number of Marines on shore. This is the natural sequence of the reduction of the complement of the ships. The real value of a Marine is dependent on the amount of sea service he goes through. If you have more Marines than can embark and take their proper tour of duty at sea, so as to be able to keep the characteristics of the sailor about them, you lose the value of these men; and we find that we may safely reduce 1,000 Marines and still keep up the corps in its integrity. As to the boys, we propose to maintain the same number; but I will presently revert to them, as I have some interesting facts regarding them to state to the House. As I have before said, it is somewhat remarkable that, while decreasing our numbers, we are increasing the Vote for their maintenance. This increase of cost is due to several causes. First of all, our sailors are, I am happy to say, improving in conduct, and consequently we are obliged to take a much larger sum for good conduct pay. To illustrate this, I may mention that in 1859, when we bore many more men than we do now, we paid £25,900 for good-conduct pay, and in 1865-6 we shall pay £53,628 for the same service—that is, more than double for a considerably less number of men. Another cause of increased expenditure is the increase in the number of expert gunners. While in 1861 we had one man out of every seven who, belonged to the gunners' class, receiving additional pay after passing through an examination and becoming an expert gunner, I find that in 1864 the proportion of the same class becoming expert gunners was one man in three. There is yet another source of additional expenditure, and that is the Victualling—there is a slight increase due to the price of butchers' meat; but, on the other hand, all farinaceous food is much lower in price, so the increase is small. But I am now going to show the Committee that on other accounts these Votes are largely increased. There has been considerable increase to the full as well as half pay in almost every class in the navy within the last few years; but I at present only advert to the former, and I must give the right hon. Member for Droitwich credit for commencing the era of increased pay. In six years the House has increased full pay to officers and men in the Navy and Marines by £268,736. That is to say, the same number of men we bear now cost the country £268,736 more than they would have done six years ago. That, I think, shows what has been done for improving the condition of all classes in the navy. [Sir JOHN PAKINGTON: It is not all my doing.] No, I have done the most part of it. The result is that, taking the average pay of seamen and officers of all classes, barring flag-officers, the cost per head was in 1859 £64 5*s.* 7*d.*, with all collateral expenses; while in 1865 the cost is £74 5*s.* 3¾*d.* per head, or about £10 a year more. The cost of a Marine in 1859 was £58 12*s.* 6½*d.* and in 1865 £61 2*s.* 3½*d.*

I will now, Sir, advert to a subject of very great importance to the welfare of our navy, and that is the system adopted to replenish the navy with boys, brought up and educated in the service, and becoming the best seamen in the world. This is the first time I have been able to approach the Committee with certain statistics for their information on this subject. In the year 1863-4 the average number of pure blue-jackets in the navy—I mean exclusive of artificers, stokers, and every class but that fine creature that goes aloft to the yard-arm and reefs the topsails—was, including petty officers, but exclusive of Coastguard men on shore, 24,500; and I find that in that year the discharges from all causes amounted to one-eighth, or 3,100. During that year the number of boys whom we had brought up who were rated as seamen was 2,517, leaving about 600 men to be obtained from the merchant service. The actual number of seamen thus entered was 594. That number of 2,517 boys rated, I should have stated, came from a stock of 9,000 boys. Last year I proposed the reduction of the number of boys from 9,000 to 7,000. My right hon. Friend (Sir John Pakington), and other hon. Members expressed alarm lest the smaller number should be found insufficient to supply the wants of the navy. What we did was this—we reduced the number of boys by 2,000, but instead of entering them at a very tender age we increased the age of entry, and provided that the whole time of the boys shall be devoted to instruction in the duties of seamen on board the training ships. Before this alteration, and while they were entered at a very tender age, many of them became officers' servants, and thus lost a good deal of their time of instruction. In consequence of the changes which we have introduced they learn their duties as seamen quicker, and we are enabled to pass them sooner into the fleet. What we propose and are carrying out is that every boy who comes into the navy shall pass through a training ship, and that, with a very few exceptions, none shall enter the fleet as seamen who shall not have gone through that preliminary instruction. Our Establishment will now be 3,000 boys in the training ships, being an increase of 500, and we expect to rate as seamen about 2,000 annually. That is a considerable reduction from 2,517; but it must be borne in mind that we are looking forward to a small but gradual reduction in the number of our seamen, in consequence of the increase of our armour-plated vessels, carrying smaller complements of men. What we are doing is to substitute skilled labour for what I may call brute force; and in that we are only imitating what is going on in every trade or business in the country. Every year we are increasing the number in the gunnery classes, and what we lose in number we gain in skilled labour. We expect that these 2,000 boys a year will be sufficient; because, as I shall show, before I resume my seat, our waste of seamen is becoming less every year. Desertions are decreasing; the men are becoming more and more attached to the navy; and the waste of seamen diminishes every year. I have only further upon this subject to state the cost per head of the boys. The increase of our training ships has led to an increase of the cost of boys. While in the current year the boys cost £45 2*s.* per head, the cost of each boy for the year 1865-6 will be £48 18*s.*, being an increase of nearly £4 per head.

I will now pass over several intermediate

Votes and come to Vote 5—the Scientific Vote. In this there is a new item, which, I think, will meet with the approval of the Committee. The education in the navy and in the dockyards, which is going on under the control of the Admiralty, has necessitated the appointment of an officer as Director of Education, and we have, with the consent of the Treasury, appointed a very well known gentleman—Dr. Woolley— to that office. He has for many years been partially employed under the Admiralty; the necessity which has arisen for his undivided services renders it necessary, also, that he should be altogether paid by the Department, and accordingly in this Vote a sum of £964 is taken for his salary. I now turn with some dismay to the hon. Member for Truro (Mr. A. Smith). He will observe that we take a larger sum for the School of Naval Architecture than was voted last year ; but when I tell him that the School is working well, that we hear the best accounts of the pupils, and that pupils from the private trade are coming in, I trust that he will admit that of which he or any hon. Member may convince himself by inspection of the school at Kensington — that the money which has been applied to the establishment of this School has been well laid out. At the same time, I am bound to admit that the Estimate which I gave last year of £2,300 has been exceeded during the year by a few hundred pounds.

The next Vote to which I shall ask the attention of the Committee is No. 6, that for the Superintendence of the Dockyards. There is no change in this Vote, nor need I make any remark upon it, further than to state that in a few days we shall lay upon the table a proposal for the entire remodelling of these Dockyard Votes. Instead of spreading the cost of the *personnel* of the dockyards, and the wages over several Votes, we design in future to collect the whole personal expenditure upon the dockyards into one Vote, of the victualling yards into another, and so on. That proposal will be laid before the Committee upon Public Accounts, and if it is approved by them, the Estimates for next year will, I hope, be brought in in that form by myself, by my right hon. Friend (Sir John Pakington), or by some other hon. Gentleman. We are endeavouring in various ways to carry out the recommendation of the Royal Commission of 1861 upon the Dockyards. We have since 1861 laid before the House accounts showing the expense of building, repairing, and maintaining our ships, and also of the manufactured articles which are made in the dockyards. This year we propose to go a step further, and to lay upon the table a general balance-sheet of the cost, showing the value of the stores on hand at the commencement of the year, the debtor and creditor operations during the twelvemonth, and the balance at the end of the year. But I will state frankly that I, for one, shall not be satisfied until we are able to lay on the table of this House annually a regular capital and current account with reference to our dockyards, our ships, our plant, and everything connected with the expenditure of the navy. I say this with reference to the remarks of an hon. Friend of mine (Mr. Seely), who, the other night, taunted me with supineness and with having since I have been in office forgotten the earnest desire which I expressed when out of office that these accounts should be rendered. Personally I should not have thought it necessary to reply to such accusations, but they give pain to many able men in the Department in which I serve, and who along with myself, my hon. Friend near me (Mr. Childers), and my hon. Friend the Member for Halifax (Mr. Stansfeld), when he was at the Admiralty, have been and are desirous of laying these matters fully before the House. I think it is hardly generous, considering the progress that has been made, that we should be taunted with coldness and supineness in this important matter. I believe that in a short time we shall be able to lay upon the table the papers to which I have just alluded ; but I deprecate any undue haste in these matters, because I know that accounts which are not really correct are worse than valueless. Great labour has been imposed upon the officers who have undertaken to prepare these accounts; and I believe that when they are completed they will be eminently satisfactory to the House and to the public.

Sir, I now approach our great shipbuilding operations under Votes 8, 9, and 10. The amount we ask for the year 1865-6 for the stores for the navy and for contract built ships is £2,930,654, which, compared with the £3,390,833 we shall have expended during the present year, shows a decrease of expenditure in this Department of £460,179 ; and I may add, as a passing remark, that rather less than one-fourth of both these sums is due to pure shipbuilding in the present and in the coming year. Happily on this occasion there is no necessity for me to wade through a great many dry figures connected with the operations to be carried out, as I have for the first time laid upon the table of the House a very comprehensive paper containing a complete programme of our intended operations during the coming year. I have done so on this occasion because the Duke of Somerset understood there was a general wish among those Members of this House who take an interest in these matters, that a statement of our proposed works should be laid upon the table. I have always given a verbal sketch of our intended operations for the ensuing year on these occasions, but I think it will be very much more satisfactory for hon. Members to examine this paper, as they will then have a better opportunity of criticizing our performances than they would have if they simply listened to a speech. However, for the information of the House this evening, I may state that for the year 1865-6 we propose to construct 15,115 tons of shipping, while in the current year we shall produce 18,952 tons, being a proposed reduction of 3,837 tons, the decrease in the tonnage for the coming year being in proportion to the decrease in the Estimates. The Committee will probably desire to know what is the force of our armour-plated ships either completed or building, and I shall therefore proceed to give them some information upon this point. We have altogether thirty armour-plated ships complete or in process of construction, and I may state with some satisfaction that the whole of them, with one exception, will be completed and ready for sea, if necessary, by the close of the present calendar year. That one exception is in the case of a very large ship called the *Northumberland*, and I feel bound to state publicly that it is not creditable to the Millwall Shipbuilding Company that this ship has not been proceeded with at the same rate that her sister ships have been, which were ordered at the same time from other firms. Her sister ships will be ready for sea at the end of the year, while there is little chance of the *Northumberland* being completed until far into the next year.

Sir JOHN PAKINGTON inquired when it was probable that the *Northumberland* would be ready.

Lord CLARENCE PAGET: Not until the autumn of next year. I should have been more uncomfortable about this but that during the last few months we have had greater reason to be satisfied with the progress of this ship, which upon inquiry I found to be due to the energetic exertions of my hon. and gallant Friend the Member for Wakefield (Sir John Hay), who I understand has taken the management of the Company; and therefore we may now hope to see the vessel completed before the time I have named. I have frequently described all these ships before, with the exception of the two to which I intend to confine my observations. Of these two the *Royal Alfred* has excited considerable interest on account of the alterations she has undergone. This vessel was the most backward of five line-of-battle ships it was proposed to armour-plate, and therefore the alterations, which will, it is believed, greatly improve her as a seagoing ship and as an armour-plated vessel, will be made without very great cost. I should state that these ships which are armour-plated throughout have a considerable tendency to pitch, and that therefore it is desirable, as far as possible, to lighten their ends. Therefore, instead of plating the *Royal Alfred* all round with 4½-inch iron plates, we reduce the weight at the ends, and increase the thickness of the iron plates at the water-line from 4½-inch to 6-inch, at an estimated cost of £15,000, besides the additional dockyard work. An hon. Member has moved for certain Returns which will explain matters connected with this ship, and therefore I need not further advert to it. The only other vessel I shall remark upon—the *Waterwitch*—is small, and is of a peculiar construction. She is propelled by a volume of water thrown out by a very powerful water-wheel within the ship. If the invention turns out successful it will be of great use, as it gives the vessel the power of turning round on her centre, as upon a pivot; but whether she will be of equal speed for her power, in comparison with other vessels moved by the ordinary propelling machinery, I cannot at present say. The noble Duke at the head of the Admiralty has, however, thought it necessary to give this system a trial, and accordingly the *Waterwitch* armour-plated gunboat is being adopted to this system.

Sir JOHN PAKINGTON inquired whether this ship was a screw vessel?

Lord CLARENCE PAGET: No; the vessel is propelled by a volume of water issuing at her side; when she is wanted to "go ahead" the orifice is turned towards the stern, and when she is required to go astern it is turned towards the bow. So much for these particular vessels. Our armour-plated fleet may be classed as follows:—We have seven ships of great speed, but having a very great draught of water, and therefore they cannot be docked out of this country. This class consists of the *Warrior*, the *Black Prince*, the *Achilles*, the *Minotaur*, the *Agincourt*, the *Northumberland*, and the *Bellerophon*. The second class consists of vessels possessing less speed, but also drawing less water, and their names are the *Lord Clyde*, the *Royal Oak*, the *Prince Consort*, the *Ocean*, the *Caledonia*, the *Royal Alfred*, and the *Lord Warden*. The third class consists of the *Zealous*, the *Hector*, the *Valiant*, the *Defence*, and the *Resistance*, of still less speed and draught. We have, therefore, a total of nineteen armour-plated ships of the line. The next in order on the list are the frigates, corvettes, and gunboats—namely, the *Favourite*, the *Research*, the *Enterprise*, the *Pallas*, the *Viper*, the *Vixen*, and the *Waterwitch*; and then we come to four ships which will be for coast defences—namely, the *Royal Sovereign*, the *Prince Albert*, the *Scorpion*, and the *Wyvern*. These make altogether a total of thirty armour-plated ships. I shall not on the present occasion enter into the controversy of "turret *versus* broadside," as we shall have time for discussion upon that point hereafter. In justice to the dockyards I feel called upon to remind the House that several of these iron-plated vessels, which this time last year I told the Committee were only just laid down, will be turned out ready for sea, in every respect during the course of the present year. This is a very important circumstance, for if we required three or four years to build these new-fashioned vessels, they might possibly become obsolete by the time they were completed; and, therefore, it is very satisfactory to find that we can now construct them in so short a time. As soon as the *Bellerophon* is out of dock at Chatham, we propose to construct a sister ship, but with some alterations, which will show to what point we have arrived in the defensive plating of ships. The thickness of the sides of the *Warrior* is altogether 23⅛ inches, composed of 5½ inches of iron-plate and 18 inches of wood. The *Hercules*, which is to succeed the *Bellerophon*, is to have 9 inches of iron-plating, 10 inches of wood backing, 1½ inch of double skin of iron inside of that, 22 inches of wood inside of that, and then three-quarters of an inch of iron inner skin. So that she will have a thickness of 11¼ inches of iron and 32 inches of wood, in all, at the water-line. In other respects she will be very similar to the *Bellerophon*, and as regards her armament she will be armed with the newest fashion of guns whatever that may be next year. We propose to build at Pembroke an armour-plated corvette, a vessel which I will describe when we come to the next Vote, for the reason that she differs from what the Committee of last year recommended. She will be a vessel of about 3,000 tons, with a very light draught, or 16 feet, and with twin screws, and we propose to make her at the water-line of a thickness of six inches of iron and 10 inches of wood, besides a ¾-inch inner skin of iron. We hope that she will be able to carry eight of these 12-ton guns. That is what we propose to do in the dockyards in regard to armour-plated ships. Our further operations in the dockyards will be the building of four swift ships not armour-plated, but trusting wholly to their speed and armament—vessels which I may describe by a name familiar to everybody as an improved class of *Alabamas*. There are three of these vessels now under construction, and we propose to construct four more of them, making seven. They are entirely intended for the protection of our commerce. They will all be built of wood, and very much of the character of the famous *Alabama*. These, then, are the operations we mean to perform in our dockyards. But, in addition to this, if hon. Gentlemen will look at Vote No. 10 they will see there a sum of £120,000 to be taken this year, being part of a whole sum of £240,000 for ships to be built by contract. This sum we propose to apply to the construction of one or more ships. The first proposal we have to make is that, if possible, we should endeavour to construct a ship upon the turret principle which shall be a real sea-going vessel. We have never yet succeeded in getting one of these vessels which can be deemed a thorough sea-going ship. I do not deny that Captain Coles will have considerable difficulties to overcome in constructing a thorough sea-going ship on the turret principle. Everybody knows that a sea-going ship for cruising must have masts and rigging—we know that the turrets must be placed in the centre line of the ship—and therefore in order to get a clear range for the guns from the centre of the ship you must have as few obstructions as possible at her extremities, because those obstructions interfere with the firing of the guns. That is one of the difficulties which Captain Coles has to contend with, but which I feel confident myself that he will be able to surmount. He has been directed by the Admiralty to prepare drawings, he has had the assistance of draughtsmen from the Admiralty, and he has been furnished with the lines of such of our ships as he might desire to have, with every other assistance that we can afford him, in order that he may be enabled to design a thorough sea-going turret-ship. As yet we have not received his designs; but what we propose is that if these designs are approved by the Admiralty we should invite tenders for the construction of such a ship by contract from the great shipbuilding firms of the country. We are also desirous of constructing a small armour-plated ship for the defence of harbours. We are preparing plans ourselves, and think it quite possible that we may adopt the turret principle also for that vessel. But, of course, I am obliged to speak very generally as to these proposals; for, in truth, we greatly depend upon the drawings which we shall receive from Captain Coles. This concludes the observations I have to make upon the shipbuilding Votes.

I now approach a Vote which requires perhaps the most careful statement on my part, and the most careful consideration also from the Committee. I allude to Vote 11, for the expenditure on the building of our naval establishments including docks, &c. Perhaps the best course that I can adopt will be to advert to the proceedings of a Committee which hon. Gentlemen may recollect was appointed by the House last year to consider the state of our basin and dock accommodation, both in this country and in the colonies. That Committee consisted of some of the most able men in the House, of men thoroughly acquainted with the subject referred to them; and I am now about to lay before you in as brief a form as I can the recommendations at which they arrived. I hope the hon. Members of the Committee will give me credit for, at all events, desiring to state exactly what their views were. First, then, the Committee very strongly recommended generally, without specifying any exact number of docks—but their recommendation is in very strong terms—or any definite acreage of basin accommodation, that there should be additional docks and basins at Portsmouth; secondly, they recommended that there should be a third basin and two additional first-class docks at Keyham; thirdly, they recommended the construction of a dock at Cork—that is, in Cork harbour, and also that an agreement should be come to if possible for the deepening of a private dock which exists in the Cork river. These were their recommendations with regard to docks at home. Fourthly, they recommended that at Malta the construction of the Marsa dock, which had been ordered and was just about to be commenced, and for which I last year asked a Vote from this House, should be suspended; that every exertion should be made to expedite the harbour works at the Marsa in order to provide the stipulated accommodation for merchant ships, so that French Creek might be placed as soon as possible at the disposal of the Royal Navy; and they also expressed their opinion that the increase of dock accommodation for the Royal Navy ought not to be limited to one first-class dock. Fifthly, they recommend that a dock should be built at Bermuda. Sixthly, they recommend an arrangement to be made with private parties in colonies, and likewise in the great mercantile ports of the United Kingdom, by which the Government should give aid in the form of a loan towards the construction and enlargement of docks. But the Committee also made an important suggestion towards the end of their Report—that is to say, as some kind of set-off against the great expenditure which they had recommended, they suggested the suppression of some of our smaller dockyards, and they name, among these, Woolwich, Deptford, and Pembroke. The last paragraph of their Report is of such great importance that I must particularly refer to it, because it bears strongly upon the proposal that I am about to make. The Committee there state—

> "Your Committee, before concluding their Report, think it right to direct attention to the evidence of two eminent civil engineers, Mr. M'Lean and Mr. Coode, from which it appears that a great saving of expense, both of employment of plant and in supervision, would result from diminishing, as much as practicable, the time to be occupied in completing the proposed extension of the dockyards, a point of considerable importance in all

works exposed to sea risk during their progress. The Committee, therefore, having due regard to economy, no less than to the pressing necessities of the service, are of opinion that the completion of the works they recommend should be expedited by whatever means may appear most advisable to the Government and to Parliament."

The gist of that recommendation was that we should, after deciding to undertake any new work, take every possible means of completing it as soon as practicable. I am now about to state what course the Government propose to adopt in accordance with the recommendations of that Committee. Vote 11 for the year 1865-6 amounts to £527,985; there was voted for this year £444,298. Therefore there is a nominal increase on the Vote of this year of £83,000. But I should say that of this, £53,000 is a transfer from other Votes of some items for repairs which properly belong to this Vote. The real increase this year is about £30,000. Now, Sir, putting out of consideration for the moment all minor patching operations, I shall advert to the new works which we propose to undertake. First of all, there is the extension of Chatham Dockyard. That did not come under the consideration of the Committee of last year, because it had been already inquired into by a Committee which strongly recommended the enlargement of Chatham Dockyard. The original Estimate for Chatham Dockyard laid before the Committee amounted to £943,876. That Estimate was laid on the table of the House as one for the enlargement of the yard by convict labour. It was supposed that, having a large establishment for convicts at Chatham, nearly the whole of the works could be constructed by convicts, and therefore a low estimate would be sufficient. But, bearing in mind the recommendation of the Committee of last year, we now propose to the House an addition to that Estimate of £306,124. That will be entirely for contract labour to carry out the additional works, and will greatly expedite their completion. I should state that, with regard to contracts, our usual habit is, as far as possible, to confine them to the service to be undertaken during the coming year. Parliament votes a certain sum for certain works in certain yards, and generally it is our duty to confine our contracts as nearly as possible to the sum voted by Parliament. We have no right to anticipate the decision of Parliament by entering into engagements beyond the year without their authority. That has been a most proper course, but I must say it is a source of great want of economy. That was very well a few years ago, when a work requiring an annual expenditure of £30,000 was a large work to ask anyone to undertake; but such men as my hon. Friend the Member for Finsbury (Sir Morton Peto), who employs 30,000 men, could undertake at once a contract for £1,000,000 without thinking it a matter of great importance. In these days, there is no difficulty whatever, if the House sees fit to decide on the construction of important works, in authorizing the Government to enter into a contract for the whole work. If the House will agree to that principle, we can, I believe, by entering into a contract for the construction of the works at a given sum per annum, get contractors to bring a great amount of plant and employ a vast number of men, and, I believe, we shall get the work done at a considerable diminution of cost, and within a much shorter period of time. That is the proposal we have to make. Whether that should be carried out in the shape of a Bill, or in what other form, I am not now prepared to say. We have referred the matter to the Treasury, and as soon as we get the sanction of the Treasury I shall bring the subject before the House in a more distinct and definite shape. Meanwhile, it will be for the House to decide whether, having determined the fact that you are going to construct such and such works, you will give the Government authority to enter into a contract for their completion. I beg distinctly to state that all these Estimates are based on this proposal. If the House in its wisdom does not see fit to grant this power, then I can only say I can no longer answer that these Votes will be sufficient to cover the expenditure.

SIR JOHN PAKINGTON: Is the cost of the works you are now about to describe included in these Estimates?

LORD CLARENCE PAGET: They are all included in the first column of the Estimate, which includes the whole cost of the works, and is based on the supposition that we contract for the whole work, using convict labour for tidal and dirty work. What we propose to take for Chatham Dockyard for next year is £70,000. Everybody knows that on the commencement of a great work it is of no use to ask for a very large sum the first year; in fact, it could not be expended. You must get your contracts complete. You must induce contractors to bring sufficient plant upon the ground, and a certain amount of time must elapse before you can really set to work. That will account for the smallness of this sum of £70,000 which we propose only to take this year for the extension of Chatham Dockyard. During the present year I only ask £20,000 for additional works at Portsmouth—the whole Estimate for additional works at Portsmouth being £1,500,000. Full plans of these works will be laid before the House. It will be proper also that for the understanding of so great a work, and also interesting, that a model of the plans should be placed in the library for the inspection of Members.

Colonel SYKES: Does the Estimate include the price of land to be taken?

Lord CLARENCE PAGET: The land to be taken is Government land to be reclaimed from the sea, subject to certain rights of the inhabitants of Portsmouth, which have been already dealt with under an Act passed last year. I now come to Keyham Dockyard. Here we do not propose this year to follow the recommendation of the Committee of last year, to which I have already adverted. We propose to defer the construction of additional basins or docks until the enlargement of the basin now going on at Keyham is finished. That work will itself be a great improvement, and when completed there will arise the question of going on with the further works. I may also say that we will lay on the table of the House plans of the proposed extensions at Keyham. I come next to the new works proposed at Cork, which are in accordance with the recommendations of the Committee. We propose constructing a large dock in the neighbourhood of Haulbowline, on an eligible site close to the island, where there is a small naval establishment already. Here, again, we shall have the assistance of convict labour, but we shall undertake the more important part of the work by contract. The entire cost of that work is £150,000, of which we propose to take this year only £5,000, because that is all that can be expended in the preliminary preparations.

Sir STAFFORD NORTHCOTE: Within what time is it expected the works will be finished?

Lord CLARENCE PAGET: I should be very glad to state the time to the Committee, but that will depend on the decision of the House as to what sum should be voted annually towards this dock. I will afterwards give more specific views on

the point when we come to the discussion of this Vote. The effect of all these proposals is that we ask for the year 1865-6 £116,000 for the construction of new works at home. I now come to the docks at Malta. On this point I avoid all controversy. I leave that till we come to the discussion on the Vote; I am now merely going to give a brief statement of what we propose to do in consequence of the recommendation of the Committee. The Committee recommended the suspension of the construction of the dock and basin at the Marsa, and that recommendation we propose to follow. The Duke of Somerset, soon after Parliament was prorogued, went out himself to inspect the site, and he took my hon. Friend the Civil Lord (Admiral Drummond) and the Director of Works. He had the most friendly communication with all parties, and the result has been what the Committee, I have no doubt, will deem satisfactory. The Duke found when he got to Malta that there was great alarm about the construction of the dock at Marsa. It was thought if we were to build a dock of sufficient capacity for our men-of-war, instead of being useful for the mercantile navy, and only to be used for the Royal Navy on emergencies, the mercantile navy would be shut out altogether. The Duke considered whether any means could not be devised of overcoming the difficulty at once by constructing a dock in the French Creek. He found all the Maltese of opinion, and their opinion was confirmed by his own observations, that it would have been worse than impolitic to endeavour to commence a dock in the French Creek, on any of the sites that has been proposed, until that Creek was given up to us. He found that the French Creek was a mass of ships, and that every kind of building and trade was going on connected with shipping; and to have interfered in any way with these people until such time as the upper part of the harbour was given up to them and they had cleared out of the Creek would have been unwise. The Duke directed Major Clarke, the Director of Works, to go himself and ascertain if some other site could not be found for making a dock in the French Creek, which could be commenced at once. The Duke felt as we all felt that this was the best site. I have never denied that in this House, but the difficulty was that we could not have the French Creek till the other works were completed and it was given up to us.

The Director of Works, after a careful examination with the engineers of the army, found a better site, not very far from the other, and the plans are already on the table. There is a feature about it that did not exist on the other sites—namely, that a dock could be cut from the Dockyard Creek, and that the commencement of the work should be at the rear and not at the front. They found that this was a better site than any that had been chosen before, and it had the advantage that we could work at it and almost complete it without touching the French Creek at all. It is nothing more nor less than cutting from the Dockyard Creek to the French Creek. When the Duke of Somerset saw this he saw at once that we had got what we wanted, and the authorities at Malta were of one accord on the subject, and we are now at liberty to commence this long wished-for dock. I regret, for the sake of the Maltese more than for our own sake, that the Marsa dock is to be given up; but I think the House will be of opinion that the Government have come to a right determination on the matter. The works we propose at Malta are the following:—First, for the purchase of land round the French Creek; according to the original agreement with the Maltese Government, we are to pay a total sum of £60,000, and on this item we propose to take, for the year 1865-6, £18,000; next, for the construction of the dock and connection with the dockyard our total Estimate is £120,000; and we propose for 1865-6 a sum of £8,000, this being as much as we think can be spent in preparing plant necessary for the works. The other item for Marsa works, exclusive of the Marsa dock—which it will be recollected were sanctioned by this House before the question of the Marsa dock was raised, and after deducting certain contributions from the Maltese Government, but including an additional Estimate for premiums to a contractor for earlier completion of the work, for the removal of the large stones found embedded in the mud, and for carrying wharf walls down to the rock, the whole of which Estimate amounts to £109,930, (of which a portion has already been voted)—amounts to £18,000. The effect of this will be that for works at Malta we take £44,000, which, with the £116,000 which I have already stated for works at home, will make the sum we ask for the construction of works £160,000, being something like double the amount we took for new works last year. Therefore the House will see that we are entering *con amore* into the views of the Committee. The next place to which the Committee adverted is Bermuda. Now, every one who knows Bermuda—and I know it well—must be aware that it is probably the most difficult spot on the face of the earth for the construction of a dock of masonry. The nature of the soil there is so very unsuited to the purpose that it is doubtful whether it would be possible to construct a dock of masonry; for the substance through which you would have to work is coral rock, full of fissures; and the engineers who have studied the question are very strongly of opinion that such a dock could not be constructed there. Under these circumstances, my noble Friend the Duke of Somerset thinks it would be folly to ask the House at the present moment for money to construct a dock at Bermuda. What he proposes is to send out one or two able men, thoroughly conversant with the subject, to ascertain whether such a dock can be constructed, or any modification of a masonry dock; and, failing that, whether by any of the new patent floating docks, hydraulic lifts, or patent slips, the difficulty can be got over; because my noble Friend is of opinion that on the whole the advantages of Bermuda outweigh those of Halifax. Our attention will, therefore, be given to finding means for repairing our ships at Bermuda. More than this I cannot say on the subject; but the Government are most anxious to have a dock at Bermuda. The question touched upon by the Committee as to arrangements by which the Government might encourage the construction of large docks in our own possessions all over the world, and also at home, by private companies, will be brought under the consideration of the House at a later period. It will be for the House to say whether, and under what form, it will be their pleasure to carry out the recommendations of the Committee on the subject, whether by Act of Parliament or by other means.

And now let me state what are the intentions of the Government with respect to closing the smaller dockyards in the United Kingdom. I must observe that the suggestion with regard to the closing of Pembroke Dockyard was not adopted by anything like the unanimous voice of the Committee. There is no harm in my mentioning the fact that the right hon. Baronet the Member for Droitwich (Sir John Pakington), the right hon. Baronet the Member for Portsmouth (Sir Francis Baring), who filled the office of First Lord, and the right hon. Gentleman the Member for Tyrone (Mr. Corry), were all against closing Pembroke Dockyard; and I am bound to say that, although, of course, as Chairman of the Committee, it was not my business to vote, my feelings went altogether with those right hon. Gentlemen. I think it would be a most unwise thing to shut up Pembroke Dockyard. That dockyard being far away from any of the great emporiums of commerce, if you sell it it will not realize anything like its intrinsic value. Remember, too, that it is an admirable land-locked harbour, that we have spent vast sums in building and defending it; we have built forts about it in all directions, so that it is now about as difficult of access for an enemy as any port in the United Kingdom, there is a great command of labour in the neighbourhood, and it is near extensive coal and iron districts; and of course there is economy in building at a place where the men are constantly employed in shipbuilding only; all these things make it very questionable whether we should give it up; much more so at the present time. For these reasons the Government, after much consideration, have decided not only not to think of disposing of it, but to ask the consent of the House to the commencement of another iron building establishment at Pembroke Dockyard. We believe that the necessary outlay will be comparatively small, as, in consequence of the work caried on there in building wooden ships, in which, now a days, a great deal of iron is used, and in bending plates, there is a great stock of plant at present in that dockyard. Under these circumstances it appears to us that it would not be well to shut up Pembroke, and we propose, with the sanction of the House, to commence the building of an iron armour-plated ship at that port. I have further to refer to the recommendations of the Committee only with respect to Deptford and Woolwich. Deptford, as a building-yard, has undoubtedly many disadvantages. There is very little water opposite to it, and, taking into account the size of our ships, that is an important consideration. It is, however, invaluable to the country as a station for the victualling operations of our fleet and army, and also as a depôt for a vast mass of stores. It possesses a large extent of quay space, which is very useful, as will at once be seen when it is remembered that during the Crimean war we paid considerable demurrage, in consequence of not having sufficient wharfage for the embarkation of our stores. The freight from that dockyard also is cheap, because there are so many vessels loading in the river, which are very glad to take from it portions of their cargo. There are, in short, several reasons why it would be unadvisable to dispose of Deptford dockyard; but, so far as shipbuilding is concerned, I think I may say it will be no longer maintained for that purpose, as soon as we see our way to additional accommodation. With regard to Woolwich, we have it under consideration to dispose of the yard and to remove the establishment, though I cannot state that our intentions in this respect will be carried out this year. I am unable just now to state the exact nature of our proposals on the point, but I can assure the Committee that they will be carefully considered, and, I hope, put into execution in such a way as will be most conducive to the public service.

I have now made all the observations which I think are called for, as to the various recommendations of the Committee and our own proposals in relation to dockyards, and I have very little to add in explanation of these Estimates generally. We have inserted this year a very important item in Vote 12, to the amount of £4,000, which we propose to devote to carry into effect the purposes for which the Contagious Diseases Act was passed last Session. It would be premature on my part to say that that Act has already done great good, but I may inform the Committee that all the indications which we have of its working tend to show that it is likely to be productive of the utmost benefit, not only to the men of the two services, but to residents in our ports themselves. I may add that we have entered into an arrangement with the War Office, that we shall undertake to carry out the provisions of the Act at Plymouth, Portsmouth, and Sheerness, while the War Office will take entire charge of the other stations mentioned in the schedule of the Act. There is another item set forth in these Estimates, as to which I wish to say a word. We are supposed to be very stingy as to the amount of charitable contributions which we afford; but this year there is what I am sure will be regarded as a fair increase in the Vote for religious and charitable institutions—such as sailors' homes in the neighbourhood of our dockyards. The last Vote is that for the army transport. Under that head there is no great change for this coming year, but there is, I am happy to say, provision made for the return of five regiments from New Zealand. I trust we have asked for what will turn out to be a sufficient amount under this head; but if there should be any excess on the Vote, I am sure the Committee will, at a later period of the Session, allow me to ask for a small additional sum. I do not, however, anticipate that it will be necessary to take that step.

I have now concluded the observations which I have deemed it to be my duty to make on the Navy Estimates. I have, of course, given but a sketch of the various important matters on which I have touched; but I shall be most happy to give every explanation in my power with respect to the several Votes as they arise. I must, however, before I resume my seat, ask the Committee to be good enough to permit me to make a few remarks relating to the condition of the navy, particularly in reference to our seamen. It is the more important that I should do so, inasmuch as we find from time to time in some of the most respectable journals, reports to the effect that the navy is unpopular, that we cannot man our ships, and that the class of men we do get, is of an inferior description. I am now adverting more especially to what took place last autumn, when a very large ship—the *Victoria*—was being fitted out for service in the Mediterranean, and when it was stated that there was great difficulty in manning her, my own constituents among others being extremely alarmed at the condition of things thus reported as existing in the navy. It was said that we had to borrow men from other ships to man the *Victoria*, but what are the real facts of the matter? Why, that the ship was commissioned, or rather ordered to be manned, about the 1st of November, and that she was fully manned on the 11th of the same month, with the exception of five artificers, while we had men available in our ports to the number of 735—a number sufficient to man another vessel of the same size. We have been told also that there is a dislike on the part of the men to enter for continuous service; but how does the case really stand? In the year 1861 there were two continuous service men for one non-continuous, while in 1864 there were five continuous service men for one non-continuous. These facts tend, I think, to prove that the men are becoming daily more attached to the service, and inclined to enter upon it as a career in life. There is another test as to the condition of the navy to which I should like to call the attention of the Committee; but I may, before doing so, state that we intend to lay on the table of the House annually a Report of the crimes and punishments which take place in the navy. There is an old French proverb to the effect that "Dirty linen should be washed at home," but I think it desirable that the real state of the case should be submitted to Parliament. We have compiled lately very carefully the statistics relating to the crimes and punishments in the navy, and I hold in my hand a Return showing the crimes and punishments in the navy for 1862. In a few weeks the Returns for 1863 will be out, and we propose to lay them on the table. They are of such interest, as exhibiting the progress that is going on in the service, that the Committee will perhaps permit me to quote a few figures as a matter of comparison between the years 1862 and 1863. In 1862 we had 54,000 men and boys liable to corporal punishment, and in 1863, 55,000, so that it must be borne in mind that in the case of the latter year we have to deal with 1,000 men more. Yet in all crimes you will find a diminution. The number condemned to the punishment of penal servitude was, in 1862, 17; in 1863, 10; in 1862 there were 1,012 subjected to corporal punishment as against 752 in 1863. The only punishment in which there is an increase—and that is a small one—for 1863 is imprisonment, and the reason is because we have substituted imprisonment for many other punishments which formerly prevailed. In 1862 the number imprisoned was 1,730; in 1863, 1,828. In 1862 there were 97 discharged with disgrace; in 1863, 85; the number of desertions, which in 1862 was 1,876, was reduced in 1863 to 1,570. Then the cases of punishment for theft, which were in 1862, 677, amounted to only 610 in 1863; and the cases of drunkenness—which is one of the worst offences with which we have to deal—fell from 10,375 in the former to 9,903 in the latter year. These facts, I think, show not only that the navy is year by year improving in character and conduct, but that it is being manned by a higher class of men. As for education, I have no doubt that in a short time nearly every man in the service will be an educated man. We are most anxious to lay on the table statistics as to the education of the navy, which we are now collecting, and also as to the health of the navy. We have already excellent Reports on that subject, but they are not brought close enough up to the present date to be of much practical value except to medical men; this, however, is being rectified. We are told that the discipline of the navy is not so good. But who has risen from reading the account of that dreadful catastrophe the burning of the *Bombay* without a feeling of admiration for the discipline of our men. The Admiral reports that the men hoisted out the boats in the middle of the flames, that they were working at the pumps until ordered into the boats, although they were expecting every moment that the magazine would blow up. These are proofs of discipline! I may also mention another dreadful loss, that of the *Racehorse*, where the crew behaved with equal courage and discipline. These are things which would be causes for rejoicing were it not for the loss of so many brave men; but, at least, they entitle us to say with confidence that our navy is equal to what it ever was, and that it may still be relied on for the defence of the interests and honour of the country. The noble Lord concluded by moving the first Vote.

Motion made, and Question proposed,

"That 69,750 Men and Boys be employed for the Sea and Coast Guard Services for the year ending on the 31st day of March 1866, including 17,000 Royal Marines."

SIR JOHN PAKINGTON: The noble Lord has given, with his usual clearness, his annual statement to the House—a statement which includes unavoidably a great mass of details—but I am sorry to say that in that long statement of details the noble Lord has not removed that desire which I expressed on a former occasion, when I called for certain explanations with reference to what I deem the most important parts of the subject—I mean, of course, those which relate to the actual condition of the navy, and to which he has adverted in the briefest possible manner. In the early part of his statement the noble Lord seemed to boast of his candour, and said that even if the Admiralty had any shortcomings, they were not kept secret. But those shortcomings, if not kept secret, have hardly been touched upon by the noble Lord in the long statement he has made, and I shall be very glad if, after I have called for explanations on certain points, the noble Lord is able to say the same thing. I will, however, postpone the remarks which I wish to make, or any allusion to details until we go into the separate Votes, except on one or two points. The noble Lord tells us that the Coastguard is to be reduced from 7,500 to 7,000 men—I must say I very much regret it. The noble Lord justifies the reduction by the fact that we have established a Naval Reserve; but, in my opinion, the first Reserve, and the best Reserve for the navy is the Coastguard. The Coastguard is made up entirely of tried and experienced sailors, the very best men it is possible to turn to if any emergency should arise. The reduction, the noble Lord says, is slight, but I regret that it is reduced even by 500 men. I entertain the same views with regard to the reduction of the boys. The noble Lord referred to what took place in the House last year about the reduction of the boys, which I then called a most unwise reduction, and I cannot help now repeating that assertion. The noble Lord boasted towards the close of his speech as to the state of the navy in regard to the men—but he has never denied that the best source from which to recruit the navy is that of the boys trained for the service. I am glad, however, that no further reduction is now proposed. But on another important subject on which I desire information he has said nothing. I want to know what at this moment is the state of the Reserve of the navy. The noble Lord said that when the *Victoria* was manned last November there were 700 men on hand, and that there were 1,500 men then available. [Lord CLARENCE PAGET: And so we have now.] I am extremely glad to hear it—the more so because it is inconsistent with the information I have received from the Votes. If there are 1,500 men available, ready to be put on board our men-of-war whenever they are required, I am surprised the noble Lord passed over such an important fact in his statement. It seems inconsistent with the statement at page 116 of the Votes, to which the noble Lord referred for other purposes, where I find a summary of the monthly state of the navy. The Committee may not be aware that every month a statement is laid before the Admiralty of the number of men in the navy more or less than those voted by Parliament. I find that in April, the first month of the financial year, there were 145 men more than the number voted; but that redundance sank immediately, and in May there were 67 less than the Parliamentary number, in June 419 less, and in January, the last month given, 1,637 less than the Parliamentary number.

LORD CLARENCE PAGET: I overstated it just now by mistake. We have 1,225 men now ready, exclusive of boys, and 200 and odd boys, making up 1,500 altogether.

SIR JOHN PAKINGTON: I am exceedingly glad to have it so clearly stated that there are now 1,500 men and boys available. It is certainly a most important matter.

I will now revert to another part of the noble Lord's speech. The Committee could hardly help smiling—the noble Lord himself could hardly help smiling—when he came to that long-debated question, the Malta Docks, and I congratulate him upon the wisdom of the decision to which the Admiralty have at last arrived. Great credit is due to the Duke of Somerset that, after the discussions which have taken place in this House, he should have taken the trouble of going out to Malta to judge for himself, and most satisfactory to us on this side of the House that he should arrive at the conclusion that the Admiralty had made a great and serious mistake at Malta, a fact which we always asserted. The result of his Grace's visit is that he is convinced at last that we were right, and that the Admiralty had been persevering in a great mistake. The Duke of Somerset, I am glad to say, has had the manliness to reverse his policy and adopt that course which we on this side of the House had so repeatedly urged upon the Government. I regret the hon. and gallant Member for Waterford (Captain Talbot) is not in his place to express the satisfaction he must have felt at the noble Lord's statement respecting Malta; and perhaps it was hardly to be wondered at that the Admiralty should send him off to command a gunboat in the Mediterranean to spare themselves the triumph with which he must necessarily have greeted this change of policy. It is not for us, however, to find fault. We have only to give credit to the Admiralty for the wise decision at which they have arrived. I did not listen with equal pleasure to the noble Lord's remarks respecting the docks at Bermuda. We must not close our eyes to actual facts because we wish to avert them from possibilities which we all hope may never become facts. No censure could be too severe on any Government which neglects all proper precautions. At this moment it is most important for us to have effective docks everywhere, but if in any spot in the world more than another it is requisite to have docks it is at Bermuda. Last year the Committee strongly recommended the construction of a first-class dock at Bermuda. The noble Lord says there are great practical difficulties in constructing them; but we knew that perfectly well. How have the Admiralty dealt with the matter? They propose, we now hear, to send out somebody to inquire—if that be essential, let me ask why that somebody was not sent out months ago? Every Gentleman who has turned his attention to the evidence that was given before the Dockyard Committee, knows they had the strongest possible testimony from Sir Alexander Milne (who had just returned from the West India command) as to the immense importance of having docks at Bermuda—and I confess I was extremely disappointed when I received the Votes to find at page 11 what were the intentions of the Admiralty in that respect. The great necessity of the case will be apparent when it is remembered that whenever an English man-of-war in those latitudes is disabled, and wants repairs, it is necessary for it now to come home before it can go into dock. This state of things ought not to continue, and I regret the Admiralty have not dealt with the necessity more promptly and more efficiently than their proposition now to send out to inquire. With respect to the question of docks generally, the hon. Member for Stamford (Sir Stafford Northcote) put a very important question to the noble Lord, when he asked over what period of time the execution of these works was to depend. The works themselves may be judiciously designed, and be perfectly in accordance with the Report of the Committee, but in future years I should like to see larger Votes than those called for at the present time. When these important works are undertaken, I hope it is the intention of the Government to complete them with promptitude, and not spread them out over an indefinite period of time.

I will now turn to an inquiry I wish to make of the noble Lord—an inquiry bearing upon a most important question. It is, whether or not the condition of the men is at this moment such as it ought to be in the event (if unfortunately it should arise) of this country being involved in war? I am sure the noble Lord will do me the justice to admit that during the time he has held office I have never met him upon these subjects in any party spirit. I have always endeavoured to divest of a party character the great question of the defence of the country, in which I entirely believe that my noble Friend, and the other Members of the Government, take as deep and as sincere an interest as any Members can do on this side of the House. The question is not whether this Minister or that is anxious that the navy should be efficient—the only question is, whether or not the Government of the day have exercised that caution and discretion, and have evinced that capacity of availing themselves of the means Parliament has placed at their disposal to give efficiency to this great arm of the National defence, which every Administration ought to display. Wishing to approach this subject in the fairest spirit, I should not be dealing candidly with the Government or with my noble Friend, were I not to state that from the information which has reached me from various quarters, I am not free from alarm upon this subject. I am not free from an apprehension that during the last five years the Admiralty have not so availed themselves of those liberal grants which from year to year Parliament has placed at their disposal, as to be in a condition at the present moment to state to the House and the country that they have done all they could do, and that the naval defences of England are now such as we should desire, and as considering all that has passed in the interval, we have a right to expect to see them. I can assure my noble Friend I make this statement in no hostile spirit. I must add that I feel very deeply that no independent Member of Parliament can possess the information which is within reach of the Government. Beyond the statements contained in the papers laid before the House, independent Members can only learn what is going on by reports here and reports there; and I frankly admit that we are always liable more or less to be carried away by statements which are incorrect. I trust, therefore, my noble Friend will admit that I am taking the fairest course in telling him that I wish to call upon him for explanations at the moment when I have reason to know that it will be most agreeable to him to make them. He informed me that he wished I should defer my discussion upon this subject until he made his annual statement. I acceded to that request—I have heard that statement; and I must confess that it has not removed my anxiety. Let me first of all remind the House of the enormous sums—the unprecedented sums—which we have during the last five years placed at the disposal of the Government. When it was my fortune, in the year 1859, to move the Navy Estimates, I thought it my duty to apologize for what was then their unprecedented amount in a time of peace. I then asked for £9,813,000; and a Supplementary Estimate was, I believe, moved by the present Government later in the year, after I had left office. I pass on to the next year. In the following year, 1860, the Estimates for which my noble Friend moved amounted to £12,800,000; in 1861 they amounted to upwards of £12,000,000; in 1862 they amounted to £11,700,000; in 1863 they amounted to £10,700,000; and in 1864 they amounted to £10,400,000. In this statement I have dropped the fractions; but the result is that during those five years we have placed at the disposal of the Admiralty a sum of £57,794,622. That is a gigantic sum—but I am sure there is no one who hears me that will not bear me out in the statement that these sums have been voted freely, and, I might almost say, without question; or, at all events, that we never made any inquiry of the Minister of the day, except for the purpose of ascertaining that a Vote was necessary; and when that necessity was ascertained, no difficulty was made about the grant. I ask, at the end of these five years, is it or is it not true, as I have heard it rumoured on all sides, that at this moment, if we should become involved in a maritime war, England could not send an effective fleet to sea? I know the gravity of this statement. Pray do not misunderstand me. I am asking for information, and no one will be more thankful than I if any unfavourable impression I may have formed upon erroneous reports should be removed by the explanations of my noble Friend. But these are the statements which we hear. I am aware that we have been passing through a period of transition. I am one of those who have from year to year pressed upon the Admiralty and the Government that, considering the period of transition through which we have to pass, they should not hesitate to make any experiment which held out a fair prospect of adding to the efficiency of the naval service. But, of course, such an opinion and such advice upon my part—opinion and advice which was, I believe, always supported by the House—were given upon the clearly implied condition that due caution should be exercised by the Admiralty, and that the vast sums placed at their disposal should be expended not only with vigour and spirit, but with that attention to every possible element of success which Parliament had a right to expect from the Administrative Departments of the State. I must confess this, I fear that discretion has not been always exercised.

The first practical point to which I shall advert, and on which I very much wish for explanation, is the state of the first two ships constructed by the present Board of Admiralty—I mean the *Defence* and the *Resistance.* I have always lamented that the Admiralty, in building these two ships, avowedly constructed them as vessels deficient in speed. I am persuaded that the first, or nearly the first requisite of a man-of-war at the present day is speed; and I believe the noble Lord will not deny that these are slow ships. Until lately I have always believed that this slowness was their only serious defect; but I have lately been informed that their construction is so defective, that if they were to be injured in their unprotected parts either fore or aft, instead of being only lowered so many inches in the water, they would be utterly unable to float. I ask for an answer to a statement so serious as that. And here I ought to say that I am not unaware of the delicacy of entering into a matter of this kind, showing that the naval power of this country is not so great as we all desire. But, I believe that our wisest policy is to face the truth, whatever the truth may be. If I am wrong, the Government can contradict me, and remove an impression that somewhat extensively prevails; but if there be any truth in the statement we may be certain that it has long ago become known to foreign Powers. I am told that the *Defence* and *Resistance* would not be safe ships in an action, because if they were wounded in their unprotected parts they would inevitably sink. But I am further told — and I think the statement still more important —that they were built in opposition to the opinions of the Chief Constructor and of the Controller of the Navy. Now, I should like to know whether that is true or not. I ought to observe that I have not received this statement from either of those gentlemen. Now, if we consider the state of the navy when the present Government succeeded to power, and the anxious and difficult change which had then just commenced, and which required all the ability the Admiralty could bring to bear upon the subject, I must say I think that the Admiralty—which contained among its members no men of science—if it rejected the opinion of those most competent authorities, the Chief Constructor of the Navy, Mr. Watts, one of the most able, scientific, and accomplished men that ever held that office; and if they disregarded the long experience of the Controller of the Navy, Sir Baldwin Walker—I must say I think that if they rejected that opinion and constructed two ships which are not capable of going into action — they have assumed a responsibility which I could hardly have thought it possible any men would undertake. I ask the noble Lord whether or not this statement is well founded? I did not hear it from Mr. Watts or from Sir Baldwin Walker, but I heard it upon such authority that I must believe it; and if the noble Lord denies it, I should like to have Mr. Watts or Sir Baldwin Walker examined upon the subject. The question relates to a mere matter of fact, and the answer that might be given to it would, perhaps, afford us most important aid in enabling us to determine what confidence we could place in the discretion with which the present Board of Admiralty expend the immense sums of money voted by Parliament.

The next case to which I will refer is that of those three very large iron-plated ships, the *Northumberland*, the *Agincourt*, and the *Minotaur*, the first of which I am sorry to hear is likely to remain unfinished for a long time. I am one of those who have always doubted the policy of plating of ships from stem to stern. I have always thought that such ships would be overweighted. These are gigantic vessels, each of about 6,500 or 6,600 tons, and I understand they were made of that size in order to enable them to bear their complete sheath of armour. The Admiralty have been warned year after year of the danger of plating ships from stem to stern until they should have acquired experience of their success as sea-going vessels. These three gigantic ships, which were the first commenced upon this principle, are not, I believe, completely plated, but so much so that they may be spoken of in that sense. I am not acquainted with the exact cost of those vessels, but I do not believe I am making any overstatement when I say that it may be put down at nearly half a million each. I wish now to ask the noble Lord whether the Report I have heard is true that in the case of some of these ships already launched the Government have not only been spending these enormous sums in armour-plating them from stem to stern, but are now proceeding to incur further expense in taking that armour off. I am told that in the case of the *Northumberland* the Government were so alarmed at the effect of this plan of iron-plating, upon which so much time and money has been spent, that they are proceeding to correct the error into which they believe they have fallen by removing the armour-plate which they have put on. Of course I only refer to the bow and stern. I ask if that be true in the case of the *Northumberland*, and whether the same process is to be gone through with the other ships? I want now to call the attention of the House, and the attention of the noble Lord, to a class of vessels which I will term the *Caledonia* class. This class includes ten vessels, which have been built, or are building, at an enormous expense—I presume at a cost of about £300,000 each. The ships to which I refer are the *Caledonia*, the *Royal Oak*, the *Prince Consort*, the *Ocean*, the *Lord Clyde*, the *Lord Warden*, the *Royal Alfred*, the *Zealous*, the *Hector*, and the *Valiant*. Of these ten, eight are of wood—that is to say, all with the exception of the *Hector* and the *Valiant*, which are of 4,000 tons, iron, and are to be plated round. The *Royal Alfred* and the *Zealous*, 4,000 tons, of wood, are to be partially plated, and the remainder to be plated fore and aft. With the exception of the *Royal Oak*, the *Prince Consort*, the *Hector*, and the *Valiant*, none of them have ever, I believe, been in commission—two of wood, two of iron; of the first the *Royal Oak* and the *Prince Consort*, of the second the *Hector* and the *Valiant*. The rest are all in course of building. I first of all refer to these four ships in commission. Of the *Royal Oak* I have not heard much. I have heard a great deal of the *Prince Consort* and the *Hector* and the *Valiant*. They are ships built of different materials, but all of about the same class, of about 4,000 tons burden, and all covered with armour from stem to stern. These are the ships upon which Admiral Dacres has presented a report to the Admiralty. The hon. Baronet the Member for Portsmouth (Sir James Elphinstone) the other evening asked to have presented the Report of Admiral Dacres relative to some of the ships in the navy, and the noble Lord then declined to produce it, on the ground that such a course would involve a breach of precedent, and would be highly incorrect. I must say I think that there have been occasions when Reports made by officers to the Admiralty have been produced. My fear, however, is that the noble Lord may have another reason for not producing the Report. If its production were granted, I believe it would show that the Admiralty have been recklessly continuing an erroneous course of iron-plating on ships, in spite of repeated warnings. Nay, more —that, in spite of the French example having been forced upon them—for the French had tried this plating, and sent their ships to sea—the ships could not bear the weight, and that in consequence the French Government have altered their mode of plating these ships. The Government had not been without warnings, and I tell the noble Lord now that his best course is to face the truth and let us see Admiral Dacres' Report. The belief of the public and my belief is this, that the Report goes to state that these ships are not fit to be sent to sea. I have here a letter from an officer whose name if I were to mention it would carry weight, but the communication is a private one; I may state, however, that he is an officer most competent to write on the subject, and I must beg to read what he says—

> "I have no doubt whatever that in plating ships entirely the seagoing qualities are destroyed; and the opinions of all officers, including those who have seen the *Hector* and the *Prince Consort* and the *Research*, are that it is very questionable whether they could weather a gale of wind in the Atlantic."

I think that is a statement which justifies me in asking the noble Lord what is the truth with regard to these ships. Last year I adverted to the extreme danger which had attended the *Prince Consort* in the Irish Channel. And what was the answer of my noble Friend? That the scuppers were out of order. I think that ship was carrying too great a weight in bad weather. She got out of the Irish Channel; but I believe that if the bad weather which she experienced had continued she would have gone down, and that in consequence of the great weight of armour which she carried, and against which the Government had been warned. In 1862-3 an animated discussion took place on this subject. I remember that the hon. Member for Finsbury (Sir Morton Peto) took part in it; and much do I lament that, through a dispensation of Providence, another hon. Member who also joined in it (the hon. Member for Sunderland, Mr. Lindsay) is not here to join in the debate to-night. What was the course taken on that occasion? The hon. Member for Finsbury and the hon. Member for Sunderland fearlessly and emphatically warned the Government against what they were doing in plating the wooden ships with iron. No discussion was ever carried on with more fairness. We said to the Government, "If you have commenced ships on a plan, and can complete them by covering them with armour, although we do not believe that is the best possible course, we do not find fault with you; but do not commence any new ships of that description." The Government disregarded that warning. They laid upon the table a paper on the authority of the Controller of the Navy. We felt that that paper went to confirm our objections—that the Government were wrong. But they would listen to no argument—they would persevere in building new ships on that plan; and we firmly believe that you will find that these vessels and the *Prince Consort*, and the *Hector*, and the *Valiant*, already completed, are not fit to send to sea. I may mention it as a current rumour, which the noble Lord can contradict if it is not true, that when Admiral Dacres went to sea last year, he was warned not to take his ships into a heavy sea. Is that true, or not? That his ships, built at a cost of millions of money, are so constructed that the Admiral in command of the Channel is warned not to take them to sea in heavy weather? Then what are we to do with these ships should the necessity arise for our ships crossing the Atlantic? These are heavy questions. And in pressing the point to which I am now adverting, and the extreme impolicy of the Admiralty in persevering in building wooden ships covered with armour, what do we hear now? That they are building wooden ships, and that they are building iron ships; that the *Royal Alfred* and the *Zealous*, two of this class, are now to be partly plated. I am told that the *Zealous* and the *Royal Alfred* are to be partially plated. Then what does it come to? If the wooden ship, partially plated, goes into action, and is struck with shell in an unprotected part, she must be burned. Then, I say, by your own want of caution and discretion, you are reduced to this painful dilemma, that if you cover your ships wholly with armour they cannot be sent to sea, and if you cover them only partially they are liable to be burned by the first shell that strikes the exposed timber in action. I think I am only discharging my duty in addressing these inquiries to the Board of Admiralty.

Before proceeding to another point I must say a word with regard to an admission made by the noble Lord, and which much amused me. Whether we are covering our ships in the best mode or not, he said the ships plated all round have exhibited a tendency to pitch. That is a very mild phrase. I think the legitimate construction is what I have stated—that the ships so plated are not fit to go to sea. Nobody, in fact, likes to be on board of them during this process of pitching. Well, of the *Royal Alfred* I have heard most extraordinary accounts. In *The Times* of to-day there is a description of her, which I cannot do better than quote, leaving the noble Lord to answer it if he can—

> "It must be evident, therefore, that but slight 'backing' power will be given by the sides of the *Royal Alfred* to her armour-plating with the short unsupported pieces of timber in the filled-in ports, the destruction of the iron diagonal frame fastenings by the opening of the new ports for the 12-ton guns, and the absence of any iron inner skin to the ship's side on the gun-deck. In fact, if finished on her present plans, she will be, when ready for hoisting her pennant of commission, a monstrous burlesque upon what will then be considered a first-class iron-clad, and if ever sent to the Channel she will be in constant danger of breaking in two amidships, and sinking from sheer weakness of body and overweight of armour and armament."

That statement in *The Times* is only a confirmation of what I have before heard of this ship from persons very competent to judge her condition. Well, what is the secret of the weakness of this ship? I am sorry to say it is to be found in the vacillation and the weakness of the Admiralty, and in their not knowing or being unable to decide on what principle they are to act in building these iron-covered ships. The fact is, that the *Royal Alfred* was pierced for a certain number of guns of a particular calibre; the Admiralty then changed their plans and determined to arm her with heavier artillery. I do not say they were wrong there; but the result was that they wanted new portholes in other places; that they had to cut new portholes between the old ones and stop up those old ones, the result of which is that this vessel of war is far weaker than any merchant ship that ever went to sea. I shall be glad to hear from the noble Lord a contradiction of this statement.

I will now advert for a moment to a circumstance on which my noble Friend touched, but on which I am sorry to say he was far from being satisfactory—I allude to the manner and to the extent to which the Admiralty have given a trial to Captain Cole's invention of turrets. It may be presumptuous on my part to pretend to give an opinion on a practical question of that kind, but I do venture to give this opinion—that whenever a work is worth trying it is worth trying well; that whatever experiments you make you should do full justice to. I say it is not creditable to the Admiralty that it should have remained for my noble Friend to come down here and tell us to-night that they are now intending to build a sea-going ship on the turret principle. If they meant to try the turret principle, why did they not try it fairly long ago? It may be said they tried the *Prince Alfred.* The *Prince Alfred* was certainly built, but not in accordance with the wishes or views of Captain Cowper Coles. I say that Captain Coles is entitled to the gratitude of England for the ability and perseverance which he has devoted to this invention. I believe it is a great invention; but I think it would have been far more creditable to the Admiralty if they had tried the experiment in the best manner a long time ago. Why did they not go to Captain Coles at once and say, "Your experiment is worth trying; let us see you try your hand at constructing a sea-going ship on the turret principle, that may be fit to meet any vessel which may be matched against her." That experiment ought to have been tried. If the experiment on the *Prince Alfred* was not a fair one, still less was that on the *Royal Sovereign.* I have always complained of the Admiralty for cutting down three-deckers in order to construct a ship on the turret principle; and all England was astonished, and I think I may say displeased, at the sudden manner in which, the moment she got to sea, without any reason, as far as anybody knows, the *Royal Sovereign* was recalled and put out of commission. I should like to know why that ship was put out of commission. There must have been some mysterious reason, for the public have never yet heard the truth about it. Satisfied am I that she ought not to have been put out of commission. She had on board an able crew of 300, trained to work guns on the turret principle, and more competent, therefore, than any other crew to give her a fair trial. I am afraid there is some ground for the suspicion widely entertained that there is a secret influence at the Admiralty, which is opposed to the turret principle, which found that principle more successful than it liked, and which accordingly procured the paying off of a crew that will not soon be got together again. What explanation have we had of the paying off this ship? The explanation of the noble Lord the Secretary to the Admiralty showed that it was not because they wanted the men. I entirely credit the statement of the noble Lord, though it is inconsistent with one of the reasons put forward for recalling the *Royal Sovereign.* The other statement was that this vessel was only fit for a harbour defence ship. But if that be the justification it would be impossible to bring forward one more inappropriate, as will be evident when it is remembered that this vessel draws twenty-six feet of water, and my naval Friends near me will bear me out when I say that nothing could render a ship more unfit for purposes of harbour defence than the fact of her drawing twenty-six feet of water.

I must now advert to a part of the subject which, while it is more important, occasions me more pain than any other. I have ventured to express doubts as to the discretion and prudence of the course which the Admiralty have taken; I have ventured to question their conduct with regard to these ten armour-plated ships, to which I suppose we must mainly trust, whether they are fit to go to sea or not; and, granting most freely that the Admiralty are as anxious as any one can be to do their best for the country, I must now raise the question as to the professional advice under which they have acted. I must ask the noble Lord to state whether I am right when I express my fear that gradually the most able and competent scientific men who ever assisted the English Admiralty in the difficult art of shipbuilding have, one after the other, been expelled from the Admiralty. I have alluded to the great ability of Mr. Watts the late Chief Constructor. I have no personal intimacy with Mr. Watts, but I do not overstep truth and justice when I say that a more competent man never held that office. It would be difficult for any Gentleman to name a more accomplished shipbuilder, one of greater genius or success than Mr. Oliver Lang. I believe I might speak in similar terms of Mr. Peake, the well known chief of Devonport Dockyard, and also of Mr. Abethell. When I turned over the Admiralty to my noble Friend these able men were all in office and able to give their advice to the Admiralty of the day. Where are those gentlemen now? Not one of them is in the service of the Admiralty. The place of Chief Constructor of the Navy has been taken by a gentleman of whom we have all heard a great deal of late years—I mean Mr. Reed. It seems to me that if there was one thing more binding on the Admiralty than another—one point as to which men of sense and distinction would have been anxious—it was that during a period of transition, when questions of great delicacy and difficulty had to be solved and settled, the assistance and advice of those competent men whom they found in office should have been preserved to the nation. This question of construction has grown to be of such vital importance that in dealing with and examining it no stone should be left unturned. I can conceive nothing of more importance than the retention of men of first-class ability wherever you can find them. I have never spoken in this House with anything like unfairness or harshness of Mr. Reed. As President of the Institute of Naval Architects, of which he is Secretary, I have seen a great deal of him, and I believe him to be a very clever man, who would have shone and acquired high distinction as a shipbuilder, if he had only been dealt with in a judicious manner. I freely admit that the Admiralty would have done a prudent thing, and done no more than they were justified in doing, if they had invited Mr. Reed to join the constructive department, and then allowed him to work his own way to the first place. But when you have men like Mr. Watts, Mr. Lang, Mr. Peake, and Mr. Abethell, and of these some through disgust, and some from other causes are got rid of, and at once, *per saltum*, you put Mr. Reed at the head of the constructing department, I say the Admiralty acted with great indiscretion and imprudence, and in a manner unjust both to the country and to Mr. Reed himself. What have been the performances of Mr. Reed? The launching of two vessels — the *Enterprise* and *Research*—the only two of his building at present afloat. Will the House allow me to read the language used in my presence by Mr. Reed, at the annual meeting of the Institute of Naval Architects, with regard to those vessels? He said—

> "As regards the other vessels which I am superintending—the *Research* and the *Favourite*—they differ from the *Enterprise* in some very important respects. I was fortunately disembarrassed, as regards those vessels, of several limitations that fettered me in the *Enterprise*, and being anxious to produce a class of ships, of which several might be commenced with confidence, I avoided in them the iron upper works, and have provided for plating them up to the upper deck."

Having entered into various details, the paper ended as nearly as possible in these words —

> "The *Enterprise*, *Research*, and *Favourite* certainly represent my ideas, in so far as I could give scope to them, under the peculiar circumstances of their construction, and I am perfectly willing to be judged by a comparison and those vessels with others of like size."

The *Favourite* is not yet launched, so we do not know how she will turn out. The *Enterprise* is at sea, and Mr. Reed says that he was fettered by several limitations during her construction. Ths report of her is that she is a good sea boat, but so imperfectly defended by iron armour, and built in some respects on such erroneous principles, that if she were to go into action she would be destroyed almost immediately. But what about the *Research*, the vessel by which Mr. Reed desired to be judged? I will ask my noble Friend to tell us what he knows about the *Research*. What does Admiral Dacres say, and above all what does the captain of the *Research* say? The prevailing belief is that the *Research* is so constructed that she is, from some cause or other, not fit to be sent to sea, that she is unsafe as a sea boat, and that it would be very difficult indeed to persuade any ship's crew to go to sea in her. This is a question not to be dealt with in any tone of levity; it is a most grave and serious matter. I believe that the *Research* is as great a failure as ever was launched. I do not mean to say on that account that Mr. Reed is not capable of building a good ship. I hope that he may live to correct the errors which he has made, and to build many good ships hereafter. But this I do say, that with Mr. Reed's present experience and competence, you are trifling with the interests of England, if you allow the men-of-war of this country to be built by him, when you have men of great talent and long experience at your command, whom you should call to your aid. I appeal to this House and to the country whether, when war may come upon us at any time, you are not bound to ask Mr. Watts and Mr. Lang to come back, and to put yourselves into their hands, instead of trusting the interests of England to a man whose first effort is such a failure, that I challenge you to tell me that you would send it to sea in heavy weather.

I am sorry I have detained the Committee so long in making these remarks and this appeal. I confess I feel very considerable alarm as to the state of the navy. Everything has been neglected for the sake of these iron-clad ships. When the *Bombay* was lost you had no other vessel to send in her place. My noble Friend told us of a small class of ships that he was about to build. I was glad to hear it; but my information goes to this, that if we were involved in a maritime war to-morrow, we have by no means the class of ships which would be capable either of protecting our own commerce or of assailing that of the enemy. I have endeavoured to lay these statements before the House in as fair a manner as I possibly could. I felt it to be an imperative duty not to shrink from doing so; but no one will rejoice more than I shall, if my noble Friend can dispose of the statements which I have made in a satisfactory manner.

Sir JAMES ELPHINSTONE said, that the indictment against the Admiralty was that they, having received very large sums of money—much more than had been granted to any other Board in modern times—had squandered it upon vessels which, in the opinion of every naval man, were utterly incapable of keeping the sea. Within the last five years numerous changes had taken place in naval architecture; and yet during the last five years they had seen dispersed the best school of naval architecture in the world. They had forced such men as Mr. Watts, Mr. Oliver Lang, and many others, to retire from the service, having been forced out of it by the most invidious conduct on the part of their superiors; and they had employed a man in the construction of the navy whose first production was an abortion. The *Research* was now lying at Cowes, and the Admiralty would not dare to send her across the Bay of Biscay. Early in the Session he had asked for the production of Admiral Dacres' report, and he could not obtain it. It was said that it was not usual to produce such reports. Had there been any technical reason why it should not be given, he would not have asked for it. But when there was a trial of brigs in 1832 a report was made upon the subject, which would be found in the library. Admiral Collier had reported, and so had Admiral Martin under similar circumstances, and the report on the *Rattler*, the first screw steamer which was tried against the paddlewheel, was also to be found in the Library of the House of Commons. There was no doubt that Admiral Dacres' report would also have been produced, but the Admiralty durst not produce it, because it would have damned them. He had moved for the Report before it was possible for him to know what it contained. But he knew what the concurrent testimony of officers in the fleet was—namely, that of the iron ships that had been constructed, the *Warrior*, the *Black Prince*, the *Defence*, and the *Resistance*, were alone safe and seaworthy, though not perfect; for the *Warrior* and the *Black Prince* were too long, and there was consequently a great difficulty in their taking up their berths and in their steering; but otherwise they were safe. The first two ships ordered by the present Admiralty—the *Defence* and the *Resistance*—possessed all the defects which had been ascribed to them; but by adopting iron compartments in them, and by sheathing their bows with wood, their character might be retrieved. Then there was a large class of ships to which the *Royal Oak*, *Caledonia*, *Zealous*, *Prince Consort*, and others belonged; and if there was any doubt about these ships not being fit habitations for men, he need only refer to a speech of his noble Friend the Secretary of the Admiralty, made to his constituents during the recess. He was defending the sending the *Victoria* to the Mediterranean—a measure attacked by many, but for which he did not attach much blame to the Admiralty, because the keeping of 1,000 men together in a state of perfect discipline was not so bad a thing as might be. But the noble Lord, in vindicating his policy, said—

> "If you were to put them (a large number of supernumeraries) on board of armour-plated ships, the men would, from want of ventilation, speedily become utterly useless, and have to go into hospital. I ask would the people of this country be satisfied if they heard that we cramped up our men, and caused fevers and diseases to break out among them, because we had thought fit to put them on board such ships as were only fit to go immediately into action."

Such was the noble Lord's own account of those ships. And then what had been the treatment of Captain Coles, one of the most scientific men of the day? His invention was brought out some five or six years ago, and was submitted to the late lamented Prince Consort, who, with his usual perception, saw the benefit likely to arise to this country from its use, and encouraged Captain Coles to persevere. After a time a trial was given him on board the *Trusty*, and the report he believed was most favourable. Captain Powell made no secret of his report. But Captain Coles could not get a hearing. In the end they cut down a three-decker, the *Royal Sovereign*, which was not a ship well adapted for the purpose—a ship that must be very uneasy. But when she joined the Channel fleet the officers who saw her afloat agreed that the vessel had command of the sea, and that if she had been among them for war instead of for peace, she would have scattered every one of them and obliged them to seek harbour. Yet, because she had some trifling defects, one or two of which were put to rights while she was still in commission, the Admiralty recalled her and paid her out of commission. Her crew had been got into perfect discipline and training, the heavy guns were moved about with as much ease as old 18-pounders, and altogether the ship and crew were most efficient; but she was paid off because it was alleged that she required extensive repairs. But he would ask, was the *Prince Consort* paid out of commission when she was repaired? Certainly not, but the *Royal Sovereign* was paid out of commission that she might not put Mr. Reed out of commission. The noble Lord told them that he was constructing a class of small fast wooden cruisers for the purpose of protecting our commerce. He did not deny that they could not do entirely without wood; but what had happened since—the accident to the *Bombay*—had modified his opinion with regard to the use of wood. It came to this—with regard to iron ships built in compartments, from their substance there was the chance of splinters, whilst in wooden ships there were the chances of fire and sinking; and if weighed, the one against the other, he thought the result would be favourable to iron ships, more especially when they remembered that in all parts of the world there were docks where 1,000 to 1,500 ton ships could be cleaned and repaired. He was an old stevedore, and it was perfectly clear to him that the turret principle was that upon which you could get your weights most conveniently adjusted to the stowage of the ship. Therefore, he should recommend the experiment of iron cruisers, capable of running thirteen knots, to be armed with one or more turret guns, and some Armstrongs and Whitworths. The objection to these guns not being able to fire in a line with the keel was removed by Captain Coles's tripod masts, by which the guns could be directed to nearly every point of the compass. Then as to the reserve fleet. It should be remembered that during the whole of the period in which these immense sums of money had been expended, the repairs and maintenance of the wooden ships had not been kept up. Many wooden ships nearly completed had been taken down. At Portsmouth, the *Harlequin*, a very nice little ship, nearly completed, was taken to pieces, and shortly after the *Pearl*, which came from China, after being four years in commission, and having badly constructed bows, was stripped fore and aft, and repaired on the old lines, at apparently a greater cost than the *Harlequin* could have been completed as a new ship. These were the sort of improvident things the Admiralty did; they paid less wages; they were constantly altering their ships; and hence it cost more in repairing and altering than in building new ships. There was a failure in the Controller's office. The *Royal Alfred*, which belonged to the *Caledonia* class, was plated with iron; she was completed up above the line of the bends for a ship something like the *Prince Consort;* she was then ordered to be altered to carry ten heavy guns in midships; gun ports were cut open, in a few cases the old ones were enlarged, in other cases they were blocked up by putting in chocks of wood with a thin skin of wood inside, and planked over outside, reminding him more of the old mode of stopping up windows in Scotland, some years ago, to save the window tax than of anything like shipbuilding. If a shot hit one of these ports it would go right through. The surveyor of Lloyd's would not pass the ship for emigrants, and yet she was to be sent to sea with 12-ton guns on her broadside.

He next came to the question of docks. The Dockyard Committee of last year did one thing which he regretted—namely, recommending the abolition of small dockyards. But they were told to do something in the way of retrenchment, and they felt they could not do otherwise than make that recommendation. He hoped, however, that the Government would not consent to part with one yard of them. With regard to yard extension and dock construction, he would urge upon the Government that this was a work for which a larger Vote should be taken, and which should be done at once. For Portsmouth he found there was only an item of £20,000 in the Estimates, and yet he believed that £500,000 might be usefully spent there by a good contractor, and the works speedily brought into an advanced state. He asked why they could not take steps for the building of three or four docks where they had building slips at present? Such a work would take the Government out of their present difficulty. In the case of any action occurring in the Channel, they could bring the iron-clads at once into dock. In regard to Devonport still less was proposed to be done by the Government. And as to foreign dockyards, such as Bermuda and Halifax, nothing whatever had been done. Now, Halifax was one of the most important points for us to watch, and to be at work upon. Owing to the peculiar nature of the harbour, by a small expenditure of money we might have a very useful dock there. But at present this important station did not possess a dock which would admit a frigate. Admiral Milne stated in his evidence that he was obliged to lose the services of two of his best ships from the want of a dock in that quarter, and was therefore obliged to send them home for repairs. As to Malta, he congratulated the noble Lord on having now arrived at the conclusion that the French Creek was the best place for the dock. The simple question was, whether we held Malta at a vast expense for Imperial purposes, or for the entire benefit of the small traders of the island. These people might be moved without any considerable inconvenience from the French Creek over to the Quarantine harbour or to the upper part of the harbour, the Marsa, where there was ample room for them. At all events, his notion was that the judicious expenditure of £20,000 or £30,000 among these persons would have satisfied existing interests and removed all difficulties. The Duke of Somerset went out to see for himself, and he administered such a snub to his First Sea Lord that he (Sir James Elphinstone) never remembered to have seen equalled. Before the Select Committee the First Sea Lord most obstinately stuck to a bad bargain, but although the First Lord had laid him completely on his back in regard to this matter, he remained

First Sea Lord notwithstanding. He (Sir James Elphinstone) further complained of the absence of any movement for the construction of naval barracks. The seamen were discharged into hulks instead of being properly housed in barracks. Let them disguise the fact as they might, our men were decreasing month after month, and at the end of the financial year there were actually 1,406 less than the number voted. Notwithstanding this fact, the noble Lord said that he manned the *Victoria* in one day or one week—he forgot which. How had he done it? First, he sent down the order, "Pay off the *Royal Sovereign;*" "Pay off the *Warrior.*" The next order sent down was, "Man the *Victoria.*" Presto, the *Victoria* was manned on the instant by the men paid off from the *Royal Sovereign* and the *Warrior*. Where were the 1,500 men to whom the noble Lord referred? They must have been shipkeepers. He could not help thinking that there were a good many dummies among them.

Lord CLARENCE PAGET said, if the hon. and gallant Gentleman desired that he should answer him, he would hand him over a paper by which he would see that the men were all seamen, and available to go on board ship at any moment.

Sir JAMES ELPHINSTONE hoped that a fuller explanation would be given by the noble Lord at the proper time. With regard to the *Royal Sovereign*, the men paid off believed themselves very ill-used. A number of good seamen were anxious to follow Captain Sherard Osborn. They were led to believe that she was a harbour ship, and a considerable number of married men joined her, thinking that they would have three years on shore with their families. Suddenly, however, she was paid off, and the men were drafted into ships which they had no intention whatever of joining. He had another word to add upon the important subject of naval barracks. The Admiralty, when they tried an experiment in reference to them, had the peculiar faculty of doing it in the most ungracious manner, and in a way least likely to succeed. In Sheerness, for example, they turned a store-house within the dockyard into a barrack. The men were therein subjected to a kind of prison discipline. The atmosphere, position, and place were desolate to a degree, and no fewer than 1,200 men at one time, from various ports in the kingdom, were congregated in a place unfitted for Christians to live in, and placed under regulations almost as severe as if they were convicts. The moment a man showed his nose outside of this barrack he was hunted back again, and where he found nothing to do after cleaning up his quarters and mending his clothes but to smoke and sleep. Now, nothing was more calculated to disgust seamen than this treatment. Every man who had the interest of the seamen at heart ought to try and make their quarters as agreeable as possible to them.

With regard to the increased pay of the officers in the navy, the Admiralty had, no doubt, conceded in some degree that which they required. They had not touched the half-pay, nor had the pay of the Admirals on foreign stations been increased. In China, the Cape of Good Hope, and other foreign stations, where the necessaries of life were dear, those gentlemen received pittances which, contrasted with the pay and allowances of general officers on shore, were shabby to a degree, and which, indeed, did not allow them to live as became their rank and position, without trenching upon their private means. In respect to India, it was a fact that the Indian Government did not pay one shilling for the naval defence of that country. He wished to ask upon what principle were we to find naval defences for a people many of whom were rolling in riches ? Why should the Government under such circumstances call upon our officers to protect the shores of that people at the risk of loss of health and the detriment of their private fortune ? He trusted this point would not be overlooked when the House next had the Indian Estimates before it. With regard to the captains who had charge of the dockyards —he would specify more particularly those at Woolwich, Chatham, and Pembroke—they had been overlooked in the adjustment of pay, although they were subject, especially at Chatham and Woolwich, to very heavy expenses. There were several points with respect to which lieutenants were ill-used. There were lieutenants of seventeen years' standing who had never had three months' leave, and of fifteen years' standing who had never been on leave at all. He claimed for lieutenants in the navy that they should be dealt with in a manner similar to that in which officers of a like rank in the army were treated. An officer in the army would think himself very badly used if he had not his two or three months' leave annually. The officers of the civil service had six weeks leave of absence each year, and the Sundays as well. A lieutenant in the navy after returning from foreign service had twenty-one days, at the end of which he was hunted up and was sent on board a hulk if there was no ship to send him to. One officer in the army had his servant, but two lieutenants in the navy had only one boy between them. An ensign had his man servant, a lieutenant in the navy, who ranked with a major, half a boy. He (Sir James Elphinstone) had frequently advocated the construction of naval colleges. It was impossible to educate boys and to keep them in good health on board of hulks. A naval college might be made self-supporting by including education for the mercantile marine ; and if that course were adopted it would have the further effect of creating a greater feeling of confidence and friendship between the two services than existed at present. There ought to be training brigs maintained in connection with the college, on board of which one watch of boys could be educated for a time, and then replaced by another watch. Under such a system their health, too, would be better attended to. The *Britannia* was only six feet below the beams, but the Government required fifteen feet in the certificated schools before they would give them any assistance ; yet they crammed the rising generation for the navy into places not above 6 feet under the beams and 6½ feet below decks ; and if there were not that injury to health inflicted as would at first sight appear, it was because the boys were all selected and first subjected to a severe medical examination ; and the consequence was, that when any of these boys were ill it was a stronger proof against the unhealthiness of the ship than the case of a school where boys were brought promiscuously together.

The noble Lord had created a class of chief warrant officers, who were the men to whom they looked in a great degree for the discipline of the ships, and consequently they ought to be paid much higher for the attainments they were expected to possess. They appointed 12 chief gunners, 27 chief boatswains, 12 chief carpenters ; but why they appointed 27 boatswains and only 12 gunners no mortal could understand. All the principal men in the service had been overlooked. If they had, even upon that limited scale, acted on the same proportion with regard to the gunners that they did to the boatswains, and had appointed 30 gunners, 27 boatswains, and 25 carpenters, it would not have been so objectionable. But the most unjust proceeding of all was that the harbour-duty officers had been excluded from the chief appointments, and only five sea-going men in the whole fleet had been appointed. In fact, some 40 gunners, men with the highest possible certificates, of the first rank, were excluded. Now it was a mockery to the class that only 55 men out of 1,200 had been made chief warrant officers, and, though savouring of some sort of selection, had been given apparently to men who would gain the least possible advantage by promotion; and service had been entirely overlooked. The object had been to produce the most effect with the least possible expense, and the selection that had been made had given the greatest amount of dissatisfaction. The manner in which their widows have been treated was a scandal and a disgrace to the navy, and the principles which regulate the superior grades of the service have been entirely lost sight of in the case of the warrant officers. Many have been driven to the workhouse, and it was not likely men would enter that part of the service with the knowledge that their widows would be treated in the disgraceful manner many of them had been; because the First Lord of the Admiralty of the day chose to say that some of them were persons of indifferent character therefore the whole should lose their pensions, was an act of the grossest injustice. The noble Lord had informed the House that the Naval Reserve force had increased 1,700 men. They were, no doubt, the flower of our mercantile navy, but they were not drilled in a manner which was most to their advantage. At Aberdeen the Admiralty had placed an old 28 gun frigate for drilling about 1,000 men, forgetting that she could not mount a 10-inch gun; and there was not a weapon for them to exercise which they would be called upon to handle in case of emergency. In fact, so bad was this ship, that the officer in command had asked the Admiralty to build a shed in which to exercise the men. Captain Browne, the originator of the force, wrote him a letter a few weeks before his death, in which he asked him to bring the subject before the House, and point out the insufficiency of ships on board which to drill the men, and also the impropriety of taking the men away from the fishing villages, and drilling them in the large towns, where they were subjected to temptations and dangers with which their wives and families did not wish them to come into contact. Captain Browne suggested that one-gun batteries should be built by the men in the neighbourhood of their fishing villages, and that the officer in command of the district should go round and drill them in immediate contiguity to their own homes. He hoped the suggestion would be taken into consideration by the Admiralty. Now the case of the *Conway* at Aberdeen was a scandalous case. She was stationed at Liverpool, and the *Eagle* was fitted out to go to Aberdeen. The hon. Members for Liverpool found out that the *Eagle* was going to Aberdeen, and they went to the Admiralty and got hold of the *Eagle*, and the *Conway* was sent to Aberdeen, the Admiralty first changing her name to the *Winchester*. Now the *Winchester* was a well-known ship of 50 guns, which had carried Sir George Lambert Hay in the East Indies, and was in every way suitable for the purpose; but to his horror when he went to Aberdeen he found the old *Conway*, a ship he had known more than forty years ago at St. Helena, one of the most miserable jackass frigates in the service; and yet that ship had been placed at Aberdeen for the purpose of exercising 1,000 men of the Naval Reserve force. He had a great deal more to state to the House in reference to the Naval Service, but he would defer his observations until the Votes, to which the subjects particularly applied, were before the House.

MR. SEELY said, that as he believed none of the facts mentioned by him on a former occasion had been attempted to be controverted by the noble Lord the Secretary to the Admiralty, though some of his statements had been described by his hon. Friend the hon. Member for Pontefract (Mr. Childers) as erroneous. Considering the great importance attached to statements made in that House, it was desirable that every Member should, as far as possible, be accurate in what he asserted. The statement he had made was simply that he believed—as he certainly believed now, notwithstanding the denial of the hon. Gentleman—that certain ships had been repaired at an excessive cost, and in one or more cases at a cost exceeding what a new vessel might have been built for. The hon. Gentleman thought that he had made a mistake, and that in speaking of the hull, his calculation referred to the hull alone, and did not include masts, yards, and rigging. Now, in using the word "hull," he had intended to express the cost of repairing the vessels, including the hulls, masts, yards, rigging, and everything necessary for the repairs. What he intended to express then, he would express now—namely, that a vessel called the *Falcon* was repaired at a greater expense than it could have been built new for, and his hon. Friend had documents before him giving the expense of the repairs of the vessel and the various items. The whole cost of the repairs amounted to £26,642. The question, therefore, was for what sum could a vessel of 750 tons, with 100-horse power, have been purchased. In his evidence before the Royal Commission, the noble Lord the Secretary of the Admiralty said, that according to the statement of the Admiralty, the average cost of the ships of our fleet, exclusive of engines, was £24 10*s*. 5*d*. per ton; but he (the noble Lord) did not think that they could be built for less than £28 11*s*. 5*d*. He (Mr. Seely) therefore took what he thought was a fair and liberal allowance—£28 per ton. Since he addressed the House, however, his hon. Friend the Member for Birkenhead (Mr. Laird) had informed him that vessels of the class of the *Falcon* could not be built for less than £30 or £35 per ton, exclusive of machinery. Giving the Admiralty the benefit of that statement, he still maintained that it was unreasonable to spend £26,000 in repairing the *Falcon*, when she could have been built new for a few thousands more. His hon. Friend said something about urgency; but what foe had the *Falcon* ever met, or what probability was there in 1863 or 1864 that she would be required to meet one? There was also another matter to which he had to call the attention of the Committee. In his evidence before the Royal Commission, Mr. Henwood, the master shipwright at Sheerness, stated that a vessel built in Her Majesty's dockyards, of good materials, ought to last fifteen years without any great repair. He stated the other night that the *Falcon* was built in 1850. He was now inclined to think that she was not built till 1854; perhaps his hon. Friend would tell him whether that was so? Then he would assume that she was built in 1854. He had now to state that in 1859 there was expended upon her £11,243, in addition to the £26,642 in 1863-4—making a total of £37,885. Surely some explanation ought to be given of the expenditure of so large a sum upon the repair of a single vessel. His hon. Friend further said that he was wrong in what he said about the conversions of timber; and in order to convey a different impression to the House, he stated that in one dockyard English oak cost £8 19*s*. a load, while in another it could be obtained for £6 15*s*. But what he mentioned with regard to English oak, occurred also with reference to other woods. In the case of teak the conversions at Pembroke ought, according to the rate-book, to have amounted to only £9,690, but they reached £12,915. He could give other facts to the same effect, but he did not wish to weary the Committee, and he would now approach a still more serious question. His hon. Friend said that he was in error when he stated that, between 1860 and 1864, there was a sum of £2,250,000 unaccounted for, except upon the theory that it had been added to stock, because he had not deducted from the Votes the value of coals which had been sent abroad, amounting to £1,500,000. He begged to say he had deducted these coals. If his hon. Friend disputed the statements he made, he should be very glad to meet him with the secretary he had employed, and go into the accounts, and if any accountant from the Admiralty could show that he was wrong, he would apologize for having needlessly taken up the time of the House. The fact was that in the Votes there appeared deductions for the coal sent abroad, and he had only taken credit for the amounts voted less those deductions. Thus in the year 1860-1 a Vote was taken for £1,706,000, from which was deducted £312,644 for coals sent abroad; and he only took credit for £1,393,356. There were many items besides those which he stated the other night, which ought to be charged to the cost of building and repairing the ships of the navy. For instance, there was a charge in Vote 6 for salaries to foremen, &c., under the head of "Naval Yards at Home," amounting to £117,702. Deducting from that £11,000 for the salaries of surgeons, chaplains, boatswains, and schoolmasters, the remaining £106,702, ought to go to the debit of the account for building, repairing, and refitting ships. There were other items, such as pensions to artificers, repairs, gas, &c., which he contended ought to be added to the cost of building, repairing, and refitting Her Majesty's ships, amounting in the aggregate to £328,105 in 1860-1, £381,286 in 1861-2, £365,524 in 1862-3, and £288,196 in 1863-4. The sums under these various heads amounted between 1848 and 1864 to upwards of £5,000,000, more than the given expenditure, on ships built, repaired, and bought, and there was no explanation volunteered as to what had become of that large sum, except the assumption that it had been converted into stock. But at the present time the stock did not represent that sum, and surely in 1848 the stock must have been of some value. Then, what had become of it? he asked. No doubt the suggestion was that the money had been expended in building, repairing, and refitting Her Majesty's ships; but in that case what became of the accounts? The accounts made no mention of these £5,000,000. His noble Friend was striving to bring these accounts to perfection, but had hon. Members looked at the account headed "Navy—Ships," which was a specimen of the mode in which the Admiralty kept their accounts? The year 1860-1 was the first in which the account of repairing ships was kept. In the accounts of that year the amount of money voted was put on one side, and the cost of building and repairing ships was put on the other, like a proper debtor and creditor account. In the next year there was a departure from this debtor and creditor system; and in the years 1862-3 a new form was adopted, and instead of giving on the debtor side the money received for building and repairing ships, they gave certain charges under the heads "Ships Building" and "Ships built by Contract," &c.; but on the creditor side of the account they gave the expenditure at the different dockyards, both being properly creditor accounts. It would be easy on this plan to manipulate accounts, and give the debtor and creditor accounts to a penny, but it would be a farce of an account. The method in which these accounts were made up was of great importance, for, as Sir Richard Bromley observed in his evidence given before the Committee, unless these matters were carefully watched, the Appropriation Act might be effectually set aside. But he (Mr. Seely) concluded that it went to put aside all Parliamentary control. The real evil, however, was that £4,000,000 or £5,000,000 a year were given to gentlemen who were really not acquainted with the matters they undertook to control. He did not think the affair would be properly conducted until they had a Government that stood upon its merits. It was not only as regarded economy that he called the attention of the Committee to these matters, but it was also because he believed that an extravagant Department was rarely managed efficiently. He had an impression that the time was coming when their expenses would be greatly increased. They would have to increase the amount of the small payments to the officers in both services, to which the hon. Baronet the Member for Portsmouth (Sir James Elphinstone) had called attention. But the pay of the soldier and of the sailor would also have to be increased, and their ships were growing in size, and would require more dock accommodation; so that the prospect before them was one of greatly increased expenditure. This made it all the more necessary that the public money should not be wasted. The country grudged no money at present for the navy, so long as the fleet was kept tolerably efficient; but the time might come when the public would refuse to allow their money to be heedlessly spent, and if ever they should come to regard such an expenditure with distaste, those who brought it about by needlessly wasting the money, would have to bear the blame.

Sir WILLIAM MILES remarked, that having been a member of the Committee for Naval Promotion and Retirement, he felt bound to make a few observations upon the grave catalogue of grievances which had been brought before the House by hon. Members sitting near him. He should wait anxiously to hear the answer of the noble Lord to those accusations, as it appeared to him that they might just as well have thrown the enormous sums of money into the sea as to have expended it upon the fleet. But he (Sir William Miles) knew nothing of naval architecture, and would address himself to the matter which had come under his attention. He regretted that the hon. Baronet the Member for Portsmouth (Sir James Elphinstone) did not touch upon one class of men in the navy who were badly treated—the engineers. He thought a great number of their complaints had been met; but there was one grievance came out before the Committee which constituted one of the greatest difficulties they had to deal with. It appeared that these men, who were subjected to the heat of tropical climates, most oppressive to the constitution, and rendering them less able to stand the attacks of disease, had no pensions whatever for their widows. Now, he wished to impress upon the Committee that the engineers had as much right to demand public pensions for their widows as any petty officer in the naval service. The men placed their complaints before the Committee to which he had referred in a most proper way. They also said that considering the nature of their service, their pay, both full and half pay, should be increased after the expiration of every three years instead of as at present every five years. He (Sir William Miles) wished to call the attention of the noble Lord the Secretary of the Admiralty to a point relative to the lieutenants in the Coastguard. He had a letter from an hon. Friend that morning which said that, in the explanatory statement, pages 104-105, full pay was asked for seventy-eight lieutenants commanding stations in the Coastguard, the sum amounting to £14,335; whereas, according to the last official *Navy List*, there were only twenty-seven lieutenants employed, and the amount was £4,972—a difference of £9,370 odd. There must surely be some mistake in the figures on the part of the Government.

Sir MORTON PETO moved to report Progress.

Viscount PALMERSTON hoped they might be allowed to take one Vote that night. ["No, no!"]

House *resumed.*

Committee report Progress; to sit again on *Wednesday.*

Lord CLARENCE PAGET intimated that he should proceed with the Estimates early on Thursday next.

AGRICULTURAL PARISHES.

RETURNS MOVED FOR.

Mr. KNIGHT moved for Returns showing the number of Inhabitants and Inhabited Houses in each of the 821 Agricultural Parishes stated as having decreased in houses, and increased in population, between 1851 and 1861; in each Census from 1801 to 1861; and, showing what manufactures or mines, if any, are carried on or worked in each of the said Parishes, if the Census contain such information.

Motion made, and Question proposed, "That there be laid before this House, a Return showing the number of Inhabitants and Inhabited Houses in each of the 821 Agricultural Parishes stated as having decreased in houses and increased in population between 1851 and 1861, in each Census from 1801 to 1861."—(*Mr. Knight.*)

Mr. C. P. VILLIERS said, that on a previous evening the hon. Gentleman had stated that this information was in the Poor Law Office. There, however, it was not, but he had made inquiry and found that the information was sent to the only Office it was likely to be sent to—the Registrar General's Office; and the Registrar General had sent to say that he hoped the Return would be opposed, as it would give a great deal of trouble.

Mr. KNIGHT said, he would repeat that the information was in the Poor Law Office, and the right hon. Gentleman's opposition was a paltry attempt to prevent the country from obtaining the information.

Mr. C. P. VILLIERS said, he rose to explain, and was proceeding to say that the Return was not in the Poor Law Office, when—

Mr. SPEAKER said, the right hon. Gentleman was not in order.

Question put, and *agreed to.*

PARTNERSHIP AMENDMENT BILL.

Partnership Amendment *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill to amend the Law of Partnership.

Resolution *reported.*

Bill *ordered* to be brought in by Mr. Dodson, Mr. Milner Gibson, and Mr. Hutt.

House adjourned at a quarter after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, March 7, 1865.

MINUTES.]—Select Committee — On Resignation of certain Offices by Leonard Edmunds, esquire, *appointed.*

Public Bills—*First Reading* — Common Law Courts (Fees)* (25).

Second Reading — Bankruptcy and Insolvency (Ireland) Act Amendment* (20).

Committee—Game Licences (Ireland)* (23).

Report—Game Licences (Ireland)* (23).

LEONARD EDMUNDS, ESQ.
RESIGNATION OF CERTAIN OFFICES.
SELECT COMMITTEE APPOINTED.

THE LORD CHANCELLOR: My Lords, I thought it due to your Lordships, to the Government of which I am a Member, and to the high office which I have the honour to hold, that I should make to you a full statement of all the circumstances, so far as I am concerned in them, relating to the resignation of one of our late clerks—the Reading Clerk, Mr. Edmunds—and the grant of a pension to be paid to that gentleman. But, my Lords, although I think it right that that statement should not be for one moment delayed, yet I am by no means disposed to ask your Lordships to be satisfied with it; and I will, therefore, move that it be referred to a Committee of this House to inquire into all the circumstances connected with the resignation of Mr. Edmunds, and with regard to the pension which has been granted to him. My Lords, in order that you may understand the matter—and I am sure you will hear me patiently—it is necessary that I should begin by telling your Lordships that, beside the office of Reading Clerk and Clerk of the Committees, Mr. Edmunds held two other offices—the offices of Clerk of the Patents and Clerk to the Commissioners of Patents. The Clerkship of the Patents is an old office in the Court of Chancery. Originally, under the superintendence of the Clerk of the Patents were all the patents, whether of dignities or estates, or patents for inventions. The office is regulated by a statute passed in 1833, by which the salary, so far as it relates to patents of dignities and estates, is fixed at £400 a year, and the obligation is thrown upon the Clerk of the Patents to pay all the fees received by him into the Exchequer. He is bound to make that payment, and to make his account to the Exchequer; but there does not appear to be in the statute any further provision touching the audit of his accounts. In 1852 patents, so far as they related to patents for new inventions, were placed under different rules, and by an Act of Parliament passed in that year another office was created, called the Clerk to the Commissioners. That office had a salary attached to it of £600 a year; and as Mr. Edmunds was at the time Clerk of the Patents, it was deemed right to give him also the Clerkship to the Commissioners, in order that it might not be in his power to make any claim for compensation in consequence of loss of emoluments. The duty, I may add, of superintending the Office of Patents was committed to certain Commissioners, of whom the Lord Chancellor is one, the Master of the Rolls another, the Law Officers of the Crown being also included in the Commission. My Lords, in the year 1864, great confusion arose in the Patent Office. Many complaints were brought to me of the conduct of Mr. Edmunds; I consulted my brother Commissioners, and we deemed it right to have a full inquiry into the matter. Mr. Edmunds was one of the first persons to demand that inquiry, and in a letter written to me on the 10th of March, 1864, he used these words—

> "I court and inquire the fullest inquiry into every single point in my conduct of the affairs and business of the Patent Office from its first organization in 1852 to the present day."

At that time the Commissioners had no reason to believe that there was any adequate or material ground of complaint against Mr. Edmunds in respect of his receipt of the public money; for under the Act of 1852 the monies received are regularly accounted for to the Treasury, and all the accounts are duly audited by the proper auditors. We appointed two gentlemen—Mr. Greenwood, the Solicitor to the Treasury, and Mr. Hindmarch, the eminent Queen's Counsel—to conduct this inquiry. On the 12th July, 1864, Messrs. Greenwood and Hindmarch presented to the Commissioners their preliminary report, and that report, to our surprise, contained a statement that Mr. Edmunds had received and misapplied public monies which had come into his hands as Clerk of the Patents, to the amount of £2,681. The report continued in these words—

> "The facts we have stated seem to justify, if not to require, the immediate removal of Mr. Edmunds from his office of Clerk of the Patents, and Clerk of the Commissioners of Patents."

And it then went on to describe the statutory mode of removing him from his office of Clerk of the Patents, which must be done by the Lord Chancellor with the concurrence of two of the other Judges of the Court of Chancery. On receiving that report I consulted with my brother Commissioners as to the course that ought to be taken; and they agreed with me that it was incumbent upon us to summon Mr. Edmunds before the proper tribunal, consisting of myself and two of the other Judges of the Court of Chancery, that he might answer this charge, the charge being the misapplication of public money received by him as Clerk of the Patents, which officer is an officer of the Court of Chancery. In consequence of that decision application was made to me by a most respectable gentleman, Mr. Leman, who was the solicitor of Mr. Edmunds, that he might be permitted to resign. I consulted the Master of the Rolls upon the subject. The Master of the Rolls agreed with me in thinking that it would not be an improper thing to permit Mr. Edmunds to resign these offices. My Lords, I directed my secretary to write to Mr. Leman the following letter :—

> "July 29, 1864.
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> "Sir,—I am directed by the Lord Chancellor to inform you that if Mr. Leonard Edmunds thinks proper to surrender his office as Clerk of the Patents forthwith, also his office as Clerk of the Commissioners of Patents, and will undertake forthwith to account for and pay over to the Treasury all sums of money due from him as Clerk of the Patents, the proceedings on Monday next will not be taken. The Lord Chancellor will take the opinion of Lord Cranworth and Lord Kingsdown as to the course which, under all the circumstances of the case, it will be the duty of his Lordship to adopt with reference to the office of Reading Clerk and Clerk of Private Committees held by Mr. Edmunds in the House of Lords. I am, Sir, your obedient servant,
>
> "AUGUSTUS B. ABRAHAM, Principal Secretary.
>
> "James Leman, Esq."

My Lords, that latter paragraph was inserted in consequence of a belief which at that time was entertained that the power of removing Mr. Edmunds from his offices in this House rested with the Lord Chancellor. It was therefore that I declined to take upon myself the responsibility of exercising that power ; it was therefore that I stated to Mr. Edmunds's solicitor that that power should be exercised only under the direction of Lord Cranworth and Lord Kingsdown, and if they deemed it necessary that it should be exercised. I admit that that was a misapprehension on my part, because the power of removing an officer rests with the House, and not with the Lord Chancellor. The undertaking which is referred to in that letter was accordingly given and the resignation made, but I declined to receive that resignation unless it was made under the advice and with the entire sanction of Mr. Edmunds's solicitor, and I required that it should be made in writing, and that the signature should be attested by that gentleman. Accordingly this surrender was sent to me, "I hereby surrender the combined offices of Clerk of the Patents and Clerk of the Commissioners of Patents." It was accompanied by a letter from Mr. Leman, dated the 30th July, which, after stating that he had been authorized by Mr. Edmunds to say that he forthwith surrendered the offices, and that he undertook to account for and pay over to the Treasury all sums of money due from him, went on—

> "Mr. Edmunds hopes, however, that your Lordship will think it right not to take the opinion of Lord Cranworth and Lord Kingsdown as to the course which, under all the circumstances of the case, it will be your Lordship's duty to adopt in reference to the office of Reading Clerk, until after your Lordship is in possession of and has considered Mr. Edmunds's answer to the report of Messrs. Greenwood and Hindmarch."

My Lords, it was a very reasonable request that an opportunity should be afforded for putting in an answer; and, therefore, although I had sent the report to Lord Cranworth and Lord Kingsdown, I desired that no further proceedings should be taken until Mr. Edmunds had given a full answer to the statements made against him. My Lords, Mr. Edmunds put in that answer; and afterwards, to my great surprise, he voluntarily paid into the Treasury the sum of £7,872, the amount of the defalcations mentioned in the report being £2,681. The first report, however, stated that there were divers other grounds of claim against Mr. Edmunds; and accordingly a further report was made in the month of January of the present year, which states that Mr. Edmunds is still indebted to the public in the sum of £9,100. Mr. Edmunds has not yet put in his answer to that report, but he disputes the accuracy of the statement, and his contention is that the sum of £7,872, represents the entire amount of his debt to the public. My Lords, in this state of things I first of all took the opinion of the Government whether it was my duty—whether it was incumbent upon me— to communicate at once to the House of Lords what had taken place with reference to Mr. Edmunds. It was the opinion of the Government that it was my duty to do so. I accordingly directed an intimation to be given to Mr. Leman that on the second or third day of the Session I should lay the reports, with the answer of Mr. Edmunds to the first report, upon the table of your Lordships' House, and that I should move for a Committee to inquire into the subject and to advise the House as to the course that it would be proper to take. Upon that intimation being given, I received from Mr. Leman an earnest request on behalf of Mr. Edmunds that I would not make that communication for a few days; and the reason assigned for asking for the delay was to give Mr. Edmunds an opportunity of receiving some communication from abroad. On that earnest appeal I consented to postpone the communication to your Lordships for, I think, four or five days. On the day on which I was about to make the communication a petition from Mr. Edmunds asking leave to resign the office of Reading Clerk was brought down to your Lordships' House, and was delivered to Sir John Lefevre, Clerk of the Parliaments; and immediately before the sitting of the House it was put into my hands. I presented that petition to your Lordships. It not only prayed for leave to resign, but it stated that Mr. Edmunds had been for eighteen years a servant of the House, and that his conduct in that capacity had never been the subject of complaint, and he therefore prayed the usual reference to a Committee in order that a pension might be granted to him in conformity with what has been the usage on like occasions. My Lords, it was your Lordships' pleasure to accede to that request. The petition was placed in my hands. I could not refuse to present it. I presented it, and an order was made in conformity with the prayer. The resignation was thereby complete, and the office held by Mr. Edmunds was rendered vacant. A reference was made to a Committee in the usual manner. Your Lordships are aware that upon that Committee two Members of the Government are, if I may so term it, official Members—namely, the Lord Chancellor and the President of the Council. I need hardly tell your Lordships that it is not the habit of either to attend the Committee, which sits at a time when the Lord Chancellor is unable to be present. I believe the Committee is constituted of several Members, many of whom make a point of attending. Now, I beg your Lordships' attention to a matter upon which there may be a difference of opinion. I sit myself upon these transactions, to judge them with the extremest care and accuracy, and what I think this one open to—possibly open to—is this observation, that it was my duty to have pursued Mr. Edmunds, and to have communicated to the Committee the information which, but for the resignation of Mr. Edmunds, it was my intention to have laid before the House in the shape of a paper, and to have had the matter referred to a Committee. Now, my Lords, rightly or wrongly, I could not bring my mind to that. I must tell your Lordships that the Law Officers have been consulted, and that they were of opinion that there was no ground for criminal proceedings; and further, that even if these could have been instituted with success they would have been unfair and unjust, because the whole of the information attaching to Mr. Edmunds's defalcations, or at least the principal part of it, had been obtained from his confession. Well, then, it was now a matter of civil liability. Mr. Edmunds said that he had paid the whole amount; the Treasury said that he was still liable in a large sum of money. If it had turned out, or if it should hereafter turn out, that Mr. Edmunds has paid the whole amount, it would have been wrong to deprive him of his pension; and if it should turn out that Mr. Edmunds is still a debtor the pension is liable to be taken, and will be taken, in satisfaction of that debt. My Lords, under these circumstances, I appeal to every one of your Lordships whether, uncalled for, without being required so to do, it was my duty to have followed Mr. Edmunds to that Committee, and to have insisted upon that Committee inquiring into these charges. Now, my Lords, I beg of you to observe that that Committee could not have made the investigation. The Committee could only have found that there was a claim upon Mr. Edmunds, which he disputed. It was not a matter with regard to the execution of his office here, but one which had arisen with reference to the execution of his duty in another office. I do not for a moment intend to insinuate that the members of the Committee acted hastily in granting the pension; but I may be permitted to mention that the circumstances attending Mr. Edmunds's resignation were generally notorious, and I may be permitted also to say that although I did not think proper to send the papers to the Committee under the circumstances, still I thought it extremely probable that inquiries would be made before the pension was granted. Now, my Lords, under these circumstances the Committee came to the conclusion that a pension should be granted to Mr. Edmunds, and I need not say to your Lordships that it would be impossible to allow that pension to be paid to Mr. Edmunds until the subject of this demand against him on behalf of the public has been fully investigated and fully satisfied. My Lords, these are all the circumstances that have taken place as far as I am connected with them. What may have taken place with regard to others, as to which there are rumours afloat, I know not. With regard to myself, I determined from the commencement to act only under the direction of my noble and learned Friends whom I have mentioned, and when I found that it was incumbent on me to act I determined at once to lay the matter before your Lordships. The question related to the resignation of Mr. Edmunds. Now, I beg noble Lords for a moment to consider that there was a very great difference between stating the circumstance to your Lordships when Mr. Edmunds was an officer of your Lordships' House, and of pursuing Mr. Edmunds in order to prevent his obtaining a pension. It is quite right that your Lordships should be free from the odium of discharging an officer without a pension in the absence of sufficient facts to justify your so doing; but the pension is a pecuniary grant which will remain in force or not according to the issue of the subsequent investigation. My Lords, I have only further to add with regard to the two offices surrendered by Mr. Edmunds—namely, that of Clerk to the Patents and that of Clerk to the Commissioners of Patents—that it was necessary, in order to comply with the requirements of various statutes, that the office of the Clerk of the Patents, the emoluments of which only amounted to £400 per annum, should be immediately filled up. The patronage of this office is not with the Lord Chancellor, but with the Prime Minister; but it was at my request, and therefore I must assume the responsibility of the act, that the Prime Minister appointed to fill that office, which is a sinecure, a relative of mine. The other office, of more importance, the emoluments of which were much larger, and which was in my own gift, has not yet been filled up, nor is there any intention of filling it up, as I thought it better that it should remain vacant until the question of the amendment of the Patent Law has been considered and determined. My Lords, these are all the circumstances which I think it right to lay before your Lordships; but there are many things connected with the statement I have made which your Lordships will desire to see, and the public will desire to see, fully investigated; and, therefore, I myself desire that this House will afford to the public the fullest possible investigation through a Committee of Inquiry. In order that there may be the fullest and most searching investigation, I humbly beg leave to move your Lordships—

"That a Select Committee be appointed to inquire into all the Circumstances connected with the Resignation by Mr. Edmunds of the Offices of Clerk of the Patents and Clerk to the Commissioners of Patents, and with his Resignation of the Office of Reading Clerk and Clerk of Out-door Committees in this House; and also into all the Circumstances connected with the Grant of a Retiring Pension to him by this House."

THE EARL OF DERBY: My Lords, I cannot pretend to feel any surprise, considering the great amount of observation which the resignation of Mr. Edmunds and the pension which has been granted to him has called forth, that the noble and learned Lord should have taken the earliest opportunity of making the statement he has done this evening. And, my Lords, the concluding sentence of the noble and learned Lord's speech, following up the information he gave us at the commencement, will, I trust, satisfy your Lordships that it will not be expedient upon the present occasion to enter into details as to the circumstances, with which we are at present but very imperfectly acquainted. My Lords, there are three parties who are on their trial before the public in this inquiry. There is the case of Mr. Edmunds himself; there is the case of the Committee of your Lordships' House, who, upon imperfect information, as it would appear to be, has recommended him for this pension; and lastly, if your Lordships will allow me to say so, there is the course which has been pursued by the noble and learned Lord on the Woolsack. The noble and learned Lord has invited the fullest investigation of your Lordships into the circumstances connecting him with the transaction. I believe that it would certainly be premature and highly improper with the imperfect knowledge we possess to propose to give any opinion whatever on the present occasion. I have no doubt that the Committee whom your Lordships appointed to inquire into this case are also desirous that their acts should be fully brought before the public through the medium of your Lordships. I am also informed that Mr. Leonard Edmunds—whatever amount of indiscretion or imprudence, or even, if you like to use so hard a word, of criminality he may have been guilty of—is himself anxious to face the fullest inquiry, and to make a statement of all the circumstances before the Committee. But your Lordships will observe that we come to the discussion, if there should be any discussion, at a great disadvantage. The noble and learned Lord has had an opportunity of making his statement, and I do not in the slightest degree complain that he should have made it in the way he has done—but the one point upon which the whole matter turns—namely, the amount of indiscretion or criminality which may attach to Mr. Edmunds—is not at this moment before your Lordships, and yet that is an essential condition upon which alone you can judge as to the propriety of the course which the noble and learned Lord has pursued. I am told that there are extenuating circumstances with regard to the defalcations which occurred in the accounts of the Patent Office. No doubt there were irregularities; and I am informed—it may be mere rumour—that the charge against Mr. Edmunds was, that instead of having handed over a sum of money which he had received on behalf of the Government, he had placed it in a deposit bank, and that he had received the interest upon it until called for. I am further informed that since the case was brought forward—since this complaint was made—the whole sum in which Mr. Leonard Edmunds was indebted to the public, and certainly a larger sum than that in which he had been accounted a defaulter, has been paid in, and that, as far as he is aware, he is no longer indebted to the public. Now, my Lords, it was extremely imprudent, extremely improper, that the money coming into his hands should have been so invested for a time, and that he should have derived an advantage from the accruing interest; but I must say if that were the whole case—I know nothing about it; I am in entire ignorance of this matter myself—but I say that if that be the whole case it falls far short of that which was imputed to him, and which would have been a criminal act. Ought he, then, to be as seriously visited as if the case had preserved the aspect which it presented at the first blush? I do not for a moment doubt the Report of the Commissioners, which we have not seen, but which of course the Committee of your Lordships' House will see—I am alluding to the preliminary report—but it appears that after the Gentlemen who inquired into the affair made their preliminary report, Mr. Edmunds at once resigned the office of Clerk of the Patents and the corresponding office of Clerk to the Commissioners of Patents. There remained to him then the office of Reading Clerk and Clerk of Committees; and, my Lords, I confess I am not at all satisfied that with regard to that office a somewhat hasty course was not taken by the noble and learned Lord on the Woolsack. The noble and learned Lord has informed us that his first impression was that dismissal from that office rested, not with the House of Lords, but with the Lord Chancellor himself, and that with that responsibility attaching to him, he proceeded to take such advice as he considered necessary to fortify him in the course which he proposed to adopt. Subsequently, it appeared to the noble and learned Lord that the dismissal rested, not with the Lord Chancellor, but with the House of Lords; and here arises the question whether the proper course was pursued by the noble and learned Lord. My Lords, if I am not misinformed, the Lord Chancellor, before the meeting of Parliament, intimated to Mr. Leonard Edmunds that it was his intention to bring the whole case before this House; but that, if he consented to resign his office, instead of being dismissed by the House of Lords, in that case he would place no obstacle in the way of his receiving a pension as a retiring clerk. My Lords, if the dismissal from that office be in the hands of the House of Lords, then I say the matter ought not to have been put on that footing—that the good offices of the Lord Chancellor would be used in procuring Mr. Edmunds a pension to which he is not strictly and fairly entitled. But the question ought to have been fairly put.

The LORD CHANCELLOR: I beg to assure the House, and to assure the noble Earl, that the statement which has been made to him is utterly without foundation. It is utterly and entirely untrue. I cannot account for it. I cannot imagine how it could have originated, except from the circumstance I have mentioned to your Lordships—namely, that an application was made to me to postpone the statement I intended to make, and I was told at the time that Mr. Leonard Edmunds expected to receive some communication from abroad. I consented to withold the statement and the papers, in accordance with that communication; but I never held out to Mr. Edmunds that if he would resign I should use my good offices to obtain a pension for him. That allegation is quite destitute of any foundation.

The Earl of DERBY: I am bound to accept without hesitation the statement made on the personal honour of a noble and learned Lord, holding the high position he does in this House, and made in presence of your Lordships; but, at the same time, I am bound to say that I never would have ventured on such a statement as that which I repeated to your Lordships if it had not been stated to me in the most positive manner, that the resignation never would have been sent in but for the declaration made by the noble and learned Lord on the subject of the pension, which was to the effect I have stated to your Lordships. I again say that I at once accept the denial of the noble and learned Lord, and conclude that I am misinformed; but, of course, this is one of the points on which the Committee will feel it necessary to satisfy themselves. The parties will be brought before one another face to face, and we can have the matter fully inquired into. I will, however, say that the course which, in my mind, ought to have been pursued was this—inasmuch as the House of Lords and not the Lord Chancellor was charged with the dismissal or the acceptance of the resignation of Mr. Leonard Edmunds, the case ought to have been brought before the House, and the House with these two Reports and the statements in reply to these Reports before it, would have had to decide in the first place—not whether, being dismissed, Mr. Edmunds ought to receive a pension—but whether the amount of blame imputed to him in his other offices would warrant the House in dismissing him from the office he held here. But, my Lords, that case was prejudged; this question alone remained for your Lordships—this question alone arose here—whether he was entitled to a pension? I say, therefore, we are in this dilemma—either his criminality was not so great that he ought to have been dismissed from the office he held in the House of Lords; or, if his criminality was such that he ought not to have been employed in the House of Lords, then a pension ought not to have been granted, and an application for a pension ought not to have been made. But, my Lords, the petition for the pension was presented by the noble and learned Lord himself. The noble and learned Lord has himself adjudged or decided that it is the duty of the House to dismiss Mr. Leonard Edmunds; he must consequently be of opinion that he is not entitled to receive a pension; but, being so convinced, he himself presents a petition, he himself lays that petition on the table, and by his sanction a Committee is appointed under the ordinary circumstances to consider whether an officer who has served in his office for eighteen years should or should not receive a pension. I say the Committee should not have been appointed under the ordinary circumstances. It should have been appointed to consider whether Mr. Edmunds ought to be dismissed, and the circumstances connected with the Patent Office, which the noble and learned Lord says were matters of notoriety, should have been laid before it. That was not the course taken. Mr. Edmunds resigned, and after his resignation an appointment was made—an appointment about which I shall say nothing, knowing as I do nothing of the merits or demerits of the gentleman who has been very suddenly placed in the office of Reading Clerk. Very fortunately for himself, I believe, since the noble and learned Lord's accession to the Woolsack, that gentleman has been appointed to two or three offices successively. But, as I said before, the House of Lords should have decided, not whether Mr. Leonard Edmunds ought to get a pension, but whether he ought to be dismissed. I complain that this question never was submitted to the House; I complain that when the resignation was accepted, the merits of the case as regards his petition for a pension never were laid before it. But we are now told after the House has granted a Committee, in pursuance of the petition presented by the noble and learned Lord, that his pension may be taken from Mr. Edmunds and applied to the liquidation of his debt. There are rumours in circulation as to the cause of Mr. Leonard Edmunds's embarrassments which I will not enter into; but there are parties who bring serious charges against persons in high station, and I think it impossible that we can appoint this Committee without having a full and searching inquiry by the Committee we appoint into all the circumstances connected with the appointment to and the holding and resignation of the offices held by Mr. Edmunds. I know we cannot have this case fairly discussed on the present occasion; but this I say, that, as the noble and learned Lord has laid his case before the House, it would be rather hard, if on the part of the gentleman impeached on his high authority, such circumstances were not suggested as might mitigate—if not counteract the *ex parte* statement against him. I have not had the slightest communication with Mr. Leonard Edmunds. I have seen a copy of the answer which he sent, I believe, to the first statement; but I have had no communication with him. I have no personal motive whatever; no feeling whatever against the noble and learned Lord on the Woolsack. I have received from him particular courtesy and kindness, for which I feel most grateful. I only ask your Lordships not to condemn a man in his absence who has had no opportunity of defending himself, but to adopt the straightforward and manly course suggested by the noble and learned Lord, and not anticipate the verdict which will be given when the case has been fully inqnired into by a Committee of this House.

THE LORD CHANCELLOR: The noble Earl, in his anxiety to have fair play in this matter, had stated that the Lord Chancellor has decided that Mr. Leonard Edmunds ought to be dismissed. Now that is the very thing I never would decide; and the noble Earl, in his desire to be candid, ought to have felt that I had carefully refrained from deciding that question, and would not form an opinion on it. But when I thought at first that I had the power, and when I consulted Lord Cranworth and Lord Kingsdown, and when I felt sure that I had the power, I proposed to lay all the papers on the table of the House, and let your Lordships decide. Yet you are told by the noble Earl, who says he does not wish to discuss the matter otherwise than with much forbearance, that I had decided Mr. Leonard Edmunds should be dismissed.

THE EARL OF DERBY: Except I am very much mistaken, it is not denied that the noble and learned Lord did intimate to Mr. Edmunds that the whole case would be brought before your Lordships' House by him unless he sent in his resignation.

LORD REDESDALE: My Lords, as Chairman of the Committee which has been referred to, I wish to say a few words on this subject. It should be distinctly understood that it was not a Committee appointed to inquire into any of the circumstances connected with Mr. Edmunds' resignation. It was one of the Sessional Committees ordinarily appointed on the Office of the Clerk of the Parliaments and the Black Rod; it comprised two of the members of the Government—the Lord Chancellor and the Lord President—and other noble Lords from both sides of the House. That Committee was appointed on Friday, the 10th of February, and on the following Tuesday the petition was presented by the noble and learned Lord. The Committee met on the following Thursday to consider the petition. There was nothing before them but the petition itself, which simply stated that Mr. Edmunds wished to resign, and prayed that a pension might be granted to him. The subject was discussed before the Committee, and the pension which was proposed was one which, after consulting the precedents, considering the length of service, the amount of salary he had received, and all the other circumstances, was thought to be of the amount which was fit to be granted. The Report of the Committee was made on the following day (Friday) 17th, and it was sanctioned by the House on Friday 24th. Those are the proceedings of the Committee. There was nothing unusual or hurried in the course which was taken. The Committee was not appointed to inquire into any of the circumstances connected with the resignation; they could not have done anything of the sort without a direct reference from the House, nor did they know that there was anything before them which was of a character which would call for such an inquiry. It ought to be remembered, as was fairly stated by the noble and learned Lord, that the answer from Mr. Edmunds to the second Report had not been received. That he altogether denies what is there stated, and the charge, therefore, at present is an imperfect one. If I were to express my own opinion, I should say that a great deal which has arisen has been caused by his own indiscreet haste in resigning his office in this House—a resignation which I very much regret if, as he says, he has a perfect answer to the charge. I confess that it is not without considerable reluctance that I should agree to the Committee proposed by the noble and learned Lord, particularly after what has been said. We must remember that the noble and learned Lord has stated here that after taking the opinion of the Law Officers of the Crown, proceedings in the shape of an action will probably be taken against Mr. Edmunds to recover the sums supposed to be due from him to the Exchequer. Supposing proceedings of that character to take place, I think it extremely awkward that we should have a preliminary inquiry into these matters, because before our Committee Mr. Edmunds himself will, of course, be examined; and then the question will arise whether it is fair that any future proceedings should be taken against Mr. Edmunds in reference to this matter. Altogether I confess that I feel great reluctance in agreeing to this Committee without knowing what course will be pursued as to the prosecution of Mr. Edmunds by the Crown. At the same time, if your Lordships think it right to appoint such a Committee, it is not for me to object. I only thought it right to lay this point before you. I think that it ought to be carefully considered before such an inquiry is instituted, in order that your Lordships might determine what is the safest and the most dignified course to take, and at the same time most consistent with the discharge of your duty.

THE MARQUESS OF BATH : As a Member of the Committee, I desire to make a few observations in answer to the sort of charge which the Lord Chancellor has thought fit to bring against it. The noble and learned Lord has thought fit to blame the hastiness of the Committee in granting the pension—

THE LORD CHANCELLOR : I made no such charge, and never intended to insinuate anything of the kind.

THE MARQUESS OF BATH : I certainly understood the noble and learned Lord to say—

THE LORD CHANCELLOR: I am not answerable for what the noble Marquess understood. Certainly, I did not say so.

THE MARQUESS OF BATH: Then, I will say that I myself heard the Lord Chancellor say that the rumours as to Mr. Edmunds were matters of such notoriety that they must have been within the cognizance of the Committee, and that they did not influence its conduct with regard to the granting of the pension. But, however, if I understand that the noble and learned Lord does not think any charge of haste and indiscretion will lie against the Committee I have no wish to say any thing further.

THE LORD CHANCELLOR: I am sorry to have to interrupt the noble Marquess so frequently, but what I said was this, and the noble Marquess, I should think, will recollect it. I said that I did not for one moment intend to insinuate the least charge against the Members of the Committee. Those were the words which I used, carefully abstaining from any statement that they had acted otherwise than rightly.

THE DUKE OF MONTROSE : In reference to the decision of the Committee with regard to the pension, I think the Committee has great cause of complaint against the noble and learned Lord, and the Government. Certain irregularities are said to have been committed by an officer of your Lordships' House, sufficient to induce him to believe that his conduct would be brought before the House if he did not resign. Everything connected with Mr. Edmunds's conduct was, it appears, known to Her Majesty's Government, and the Lord Chancellor—I think it was not fair to the Committee that they should be allowed to go into the consideration of the question whether a pension should be granted or not without any assistance either from the Lord Chancellor or the Lord President of the Council, who were Members of the Committee, and who ought to have stated what they knew, and have given their opinion whether it was right or not that the pension should be granted, and I say that your Lordships ought not to have been placed in the position of being charged with having granted unadvisedly, hastily, and imprudently, a pension to this individual ; so that, having granted it, your Lordships should be in the position of being called upon at a future date to say whether that pension should be continued or not. I think that is not a position into which this House should have been put ; and I think it was a neglect of duty on the part of the Lord Chancellor and the Lord President of the Council to have allowed such a state of things to arise. I should not have made these remarks, but when a question of hastiness is raised, and the noble Marquess (the Marquess of Bath) said he wished to exculpate the Committee from that charge of hastiness, the Lord Chancellor got up and took him to task in a manner certainly showing some degree of irritability. I think it only reasonable that Members of the Committee should state circumstances to show that the Committee, upon the information before them, acted reasonably without being subject to such attacks.

EARL GRANVILLE : I venture humbly to suggest to your Lordships to follow the precept, and not the example, of the noble Earl opposite (the Earl of Derby). The Lord Chancellor has made a personal statement, which the noble Earl acknowledges he was justified in making. I listened to him most carefully, and I appeal to your Lordships who are not interested in the matter one way or the other, whether the noble and learned Lord, did not studiously abstain from making any attack either on Mr. Edmunds or the Committee which decided upon granting him a pension. Feeling that it is the sense of the House that this Committee should sit, I agree entirely with the noble Earl that the discussion on this subject is premature, and must be unsatisfactory; and I suggest to your Lordships to follow the precept and not the example which the noble Earl set at the beginning of the debate.

THE LORD CHANCELLOR was about to put the Question, when—

THE EARL OF DERBY: There is another part of this subject about which considerable anxiety has been manifested out of doors, and that is the circumstances connected with Mr. Edmunds's original appointment, and his holding of the offices he has now resigned. I should wish to know whether the noble and learned Lord will have any objection to the Committee inquiring into those circumstances as well as the circumstances connected with his resignation.

EARL GRANVILLE: Facts may certainly come before the Committee which may induce them to inquire into the circumstances under which Mr. Edmunds held the office; but there is nothing now before the House which can induce them to make that a formal condition of the reference.

THE MARQUESS OF BATH: There are rumours notoriously flying about town in reference to Mr. Edmunds's appointment to the Patent Office, which make it a matter of justice that the circumstances of Mr. Edmunds's appointment, and the terms on which he held the office, should be inquired into.

EARL GRANVILLE: There is no desire on the part of the Government to conceal anything connected with this affair, and when the Committee is appointed it will find that the Government is most anxious to give them all the information in their power. But I think it would not be consistent with the dignity of the House to make that a formal part of the order of reference on mere rumours, the purport of which has not even been stated.

THE LORD CHANCELLOR: I understand the noble Earl (the Earl of Derby) to desire that the circumstances connected with the original appointment, and the holding of the office by Mr. Edmunds, should be inquired into?

THE EARL OF DERBY: I certainly think that the circumstances under which Mr. Edmunds held his offices are circumstances which must necessarily arise in considering the question of the alleged defalcation of public monies; but if I am assured by the Lord President of the Council that the inquiry of the Committee will not be stopped merely because the mere formal words of the Motion state the inquiry into the circumstances attending the resignation of Mr. Leonard Edmunds, and that their non-insertion will not preclude inquiry into the circumstances under which he held the offices he has resigned, I will not call upon the noble and learned Lord to insert the particular words. It must, however, be distinctly understood that the inquiry is to extend to all the circumstances connected with the various offices held by Mr. Edmunds.

EARL GRANVILLE: I have no hesitation in saying on behalf of myself and my Colleagues, that, so far from opposing, we are most anxious to promote a most searching inquiry. I think it would be improper to add the words suggested by the noble Earl. So far from wishing to throw any difficulty in the way of the fullest inquiry, I opposed the addition of those words as likely to embarrass the Committee, and I think it is for the noble Earl himself to consider whether that would not be the effect of the addition he proposes.

LORD REDESDALE: I still entertain great objections to the appointment of the Committee without our first knowing in what manner this gentleman could be proceeded against, by civil action or otherwise; but if the House think fit to appoint the Committee I shall not press my objection. I think the Motion should be "to inquire into all the circumstances connected with the resignation by Mr. Edmunds of the Office of Reading Clerk and Clerk of Out-door Committees."

THE EARL OF DERBY: There is no mention here of what is the foundation of all—the compulsory resignation of the office of the Clerk of Patents. The inquiry would be imperfect if the whole subject be not included, because the evidence upon which a judgment can be formed is the Report of the Commissioners, which referred not to the office of Reading Clerk, but to the offices of Clerk of Patents and Clerk to the Commissioners of Patents. I think the terms should be "to inquire into all the circumstances connected with the resignation by Mr. Edmunds of the offices of Clerk of Patents and Clerk to the Commissioners of Patents, and of Reading Clerk and Clerk of Out-door Committees."

THE LORD CHANCELLOR: I have not the least objection to the Motion in that form, and I think it will be reasonable to inquire into the whole subject.

LORD REDESDALE: I still think that the inquiry should be limited to what occurred before the Committee.

THE DUKE OF ARGYLL: Surely it will be better to have the whole of the subject inquired into.

LORD COLCHESTER: As a Member of the Committee, perhaps I may be allowed to state what we really did. We were summoned in the usual way, and a petition was presented from Mr. Edmunds in which he stated that he had resigned his office as Reading Clerk and Clerk of Private Committees, and praying that a Retiring Allowance might be granted him. We had then to consider what pension the Reading Clerk ought to have, taking into consideration the number of years he had filled the office and his conduct in the discharge of the duties attached to it. We had nothing else before us, as no charge was made against him. The pension was considered and was agreed to unanimously; and that was really all that the Committee had to do with the matter.

THE LORD CHANCELLOR having put the Motion as amended.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into all the Circumstances connected with the Resignation by Mr. Edmunds of the Offices of Clerk of the Patents and Clerk to the Commissioners of Patents, and with his Resignation of the Office of Reading Clerk and Clerk of Out-door Committees in this House; and also into all the Circumstances connected with the Grant of a Retiring Pension to him by this House."—(*The Lord Chancellor.*)

And on *Thursday* next, the 9th of March, the Lords following were named of the Committee:—

Ld. President.
D. Somerset.
E. Derby.
E. Graham.
E. Clarendon.
E. Malmesbury.
V. Hutchinson.
L. Panmure.
L. Stanley of Alderley.
L. Chelmsford.
L. Taunton.

BANKRUPTCY AND INSOLVENCY (IRELAND) BILL—(No. 24.)

SECOND READING.

Order of the Day for the Second Reading read.

Moved, "That the Bill be now read 2ª."—(*The Lord Steward.*)

THE EARL OF DONOUGHMORE objected to the second clause, as having a retrospective effect.

LORD CRANWORTH thought that the same objection applied to the first clause.

THE EARL OF ST. GERMANS said, the Bill was intended to remedy a state of things which did not exist in England. The liability of railway companies in Ireland to be made bankrupt was sometimes used as a means of extortion. The only object was to make the law in Ireland similar to that which existed in England. It was not intended to have a retrospective effect, and therefore he hoped the second reading would be agreed to.

LORD CHELMSFORD objected to the retrospective effect of the Bill. If the law in Ireland was that a railway company could be made bankrupt the contractor must have engaged to make the line on the faith of such a remedy, and a change in it would be an injustice.

THE DUKE OF MONTROSE thought that neither the contractors nor creditors, when they entered into their engagements, believed in the possibility of any railway being made bankrupt; and shareholders would certainly refuse to embark in any undertaking if they knew that, by so doing, they would render themselves liable for a larger amount than their shares.

THE LORD CHANCELLOR said, that the Bill originated from an oversight. The Act passed in the 25 *&* 26 *Vict.*; was intended as a general code of law for winding up companies in England and Ireland; and it proposed to repeal an Act by which the shareholders of railway companies in Ireland were supposed to be liable for debts incurred by the company. Unfortunately the Act stopped with this repeal, and the framers of it were not aware that the Act they proposed to repeal had already repealed by an Act passed in the 20 *&* 21 *Vict.* A justification for this Bill, which certainly was to some extent open to the charge of retrospective legislation, might be found in the fact that if the Legislature had been informed of what ought to be done, it would have repealed the Act of the 20 *&* 21 *Vict.*; and therefore, though it was a Government Bill, he recommended their Lordships to accede to the proposal for the second reading only on the condition that the Bill was to be amended so as only to apply to future obligations.

LORD REDESDALE thought it would be of advantage if bankrupt railway companies could transfer their property into the hands of companies who would manage them efficiently. He deprecated the present

Bill as likely to interfere with a permanent change in the law, such as was recommended by a Committee of their Lordships' House which sat on railway liabilities.

THE EARL OF ST. GERMANS undertook that if the Bill were read a second time the Irish Law Officers should consider whether the Bill could not be amended in the sense suggested.

THE EARL OF DERBY suggested that as there was so much doubt on the matter the best course would be to postpone the second reading.

THE LORD CHANCELLOR said, it was desirable to bring the law back into the state in which the Legislature supposed it ought to be. If the Bill was now read a second time it would be on the supposition that the details of the Bill would be discussed in Committee.

Motion *agreed to:* Bill read 2^a, accordingly, and *committed* to a Committee of the whole House, on *Tuesday* next.

House adjourned at Seven o'clock,
till Thursday next, half past
Ten o'clock.

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HOUSE OF COMMONS,

Tuesday, March 7, 1865.

MINUTES.] — NEW MEMBER SWORN — Daniel O'Donoghue, esquire, commonly called The O'Donoghue, *for* Tralee.

PUBLIC BILLS—*Ordered*—Municipal Corporations (Ireland) Act Amendment; Union Officers (Ireland) Superannuation*; Local Government Supplemental*; Public Offices (Site and Approaches); India Office (Site and Approaches)*; Sheep and Cattle.*

First Reading—Union Officers (Ireland) Superannuation* [53]; Municipal Corporations (Ireland) Act Amendment [54]; Public Offices (Site and Approaches) [55]; India Office (Site and Approaches)* [56]; Sheep and Cattle* [57]; Local Government Supplemental* [58].

Third Reading—Industrial Exhibitions* [36]; British Kaffraria* [45], and *passed.*

MALT.—RESOLUTION.

SIR FITZROY KELLY: Sir, before proceeding with the Motion of which I have given notice—

> "That upon any future remission of Indirect Taxation, this House should take into consideration the Duty on Malt, with a view to its early reduction and ultimate repeal,"

I ought to state to the House that I have been intrusted with nearly 3,000 petitions for the repeal of the Malt Duty; but from the impossibility of affixing my name to so many I must delay their presentation to another day. The time has now arrived when I conceive that this question of the Malt Tax should be placed on a practical and intelligible footing; and it is to that end that I have undertaken to submit the Motion on the paper to this House. I must admit at once that the pursuits and habits of my life have scarcely qualified me to deal with such a subject; and I must, therefore, very earnestly, and with unfeigned humility, solicit the indulgence of the House, while I proceed to address myself to this very important question. First, let me endeavour to explain what the Resolution really is, what is its meaning and what its extent. Not perhaps in this House, but elsewhere, it has been imagined that I am about to claim the repeal of the Malt Tax, even though to effect that repeal it should be necessary to increase, or at least to abstain from further reducing the income tax. It has also been supposed that I was about to call upon the Government to repeal the Malt Tax, although it should be necessary to impose some new tax in lieu of it. In this House I need not say that I have no such intention. When, indeed, I remember that the income tax condemned by the general voice of the country and after five and twenty years of extinction, was revived in the year 1842 with the universal consent of Parliament and of the people, for no other purpose, after supplying certain deficiences in the revenue, than to give freedom to trade and commerce, and to increase the comforts of the great mass of the population, I may think that to maintain it a little longer now for the very same purpose—to put an end to restrictions which fetter agriculture as well as commerce, and to add to the few comforts of life enjoyed by the poorer classes would not be inconsistent with the policy which imposed that tax. But whatever may be my own opinion, it is not my intention, as it is not within the scope and meaning of this Resolution, to attempt to question the decision at which Her Majesty's Government may arrive with reference to the income tax, or to interfere in the slightest degree with any other species of direct taxation. My object to-night is to recall the claims of those who have so long suffered under the weight and burden of the Malt Tax—whenever the time shall arrive when the financial condition of the
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country will admit of some substantial remission of indirect taxation. And now allow me, before I proceed further, to call the attention of the House to some of those principles of public policy which have been approved and acted upon by the most eminent among the statesmen on whom, in modern times, has devolved the duty of directing the financial affairs of the country. Without dwelling on the authority of writers on political economy, let me remind the House of the principles laid down with so much perspicuity and so much eloquence by the late Sir Robert Peel in 1842, and on which that great statesman proceeded in the reduction or extinction of duties upon 700 or 800 articles of consumption. The very first of those principles was, that it was impolitic and inexpedient to lay a tax, or to continue a tax already imposed, on any raw commodity, or on any article in the first stage of manufacture. And why? Because a tax of this nature checks production and interferes with commerce, or agriculture, and because it is found that when you come to tax a raw material which, before it is a completely manufactured article, has to pass through several stages, the tax by the time it reaches the consumer is doubled, or trebled, or sometimes quadrupled in amount. The consequence is, that the consumer pays three or four times the original amount of the tax, while two-thirds or three-fourths of it are lost to the country; and though he has to bear the burden of the whole accumulated amount, scarcely one-third or one-fourth passes into the Exchequer. The effect of this vicious system is to clog and encumber the operations of commerce with the weight of a severe and vexatious tax, and without any corresponding benefit to the community. Another of these principles was, that we should always forbear, if possible, to tax an article of general consumption, more especially when it is consumed chiefly by the labouring and the poorer classes; by those who may be supposed the least able to bear the weight of taxation. Sir Robert Peel, in introducing to Parliament his great financial measures in 1842, expressly says—

> "You must so adapt and adjust your measures as not to bear on the comforts of the labouring classes of society."—[3 *Hansard*, lxi. 434.]

To impose a tax, therefore, or to continue a tax on any article whatever of general consumption, and especially on an article consumed by the less well-to-do of the middle classes or the labouring or poorer classes, is opposed at once to policy and justice. And when we remember that it was upon these principles that Sir Robert Peel conducted our financial affairs during those three years in which he raised this country to a state of almost unexampled prosperity, I think we may safely call on the House now to respect and to adopt those principles, and apply them, when the condition of the finances will permit, in the reduction or extinction of this tax. Another principle to be observed is, that the weight of taxation should not be made to fall upon articles of British production. So uniformly did Sir Robert Peel adhere to that principle, that if hon. Members looked through the tariff established by that statesman, they would find several schedules of reduction in which, where the article was of foreign produce, the amount of duty was settled at double the amount imposed upon the same article when imported from a British colony. If, then, favour be shown to the produce of our colonies, how much more was it incumbent upon the Minister to lighten a burden which bore exclusively upon an article of home production. It is unnecessary that I should refer to the language of Sir Robert Peel. The speech of that great statesman — his financial statement in 1842—will be in the recollection of the Chancellor of the Exchequer, for he listened and assented to that speech. In those times it was my good fortune to sit side by side with my right hon. Friend; though changes of opinion, whether in him or in me it is immaterial to consider, have now separated us by the breadth of the table. But the right hon. Gentleman will remember, as I remember, the force and eloquence with which the principles to which I have adverted were insisted upon by the late Sir Robert Peel, and the earnestness and steadfastness of purpose with which, during the three or four years he afterwards remained in office, he strove to apply those principles to every financial measure which he brought before the House. These, then, being the principles which should guide us, let me now call attention to the nature of the effects of the tax which we have to consider. But first, let me further remind the House of the direct bearing upon this question of the great principle of free trade itself; the principle upon which the Corn Laws were repealed, and which, in 1846, it was declared by immense majorities in this House, ought to pervade, direct, and govern the whole commercial and financial system of this country. And here, again, I would invoke the authority of Sir Robert Peel, the political and financial master of my right hon. Friend (Mr. Gladstone). He will remember as well as I that before that time, as early as the year 1839, upon one of the annual Motions of the right hon. Gentleman now the President of the Poor Law Board (Mr. C. P. Villiers), for the repeal of the taxes on foreign corn, Sir Robert Peel expressly and forcibly urged upon the House the application of the principle of free trade to this very tax upon malt. Sir Robert Peel said, speaking on behalf of the farmer whose interests he considered were involved—

> "If you will repeal the Corn Laws, and extend what you perhaps justly call the principles of free trade to agriculture and the produce of the land, listen first to the farmer." He says, "Extend the same principle to everything else as well as to corn —do not make me the sole victim of this excellent doctrine—let me grow my own tobacco, let me manufacture and consume my own malt. And what (continues Sir Robert Peel), what answer have you to the farmer? Can you deny the justice of his appeal?"—[See 3 *Hansard*, xlvi. 774.]

That sentiment received the assent of the right hon. Gentleman (Mr. Gladstone). I say that with confidence, for I speak in the hearing of some of the most able and sincere advocates of free trade at that time, and they will remember that the sentiment of Sir Robert Peel was received with the general assent and approbation of every Member of the House. The President of the Poor Law Board (Mr. Villiers), the President of the Board of Trade (Mr. Milner Gibson), the hon. Member for Rochdale (Mr. Cobden), the hon. Member for Birmingham (Mr. Bright), the late Mr. Joseph Hume, and all the other leading advocates of a repeal of the Corn Laws, admitted throughout the whole of the free trade discussion that if the Corn Laws were repealed the tax upon malt must be abolished. The time is now come for submitting this question fairly to the House; and I trust I shall receive the support of those Members who so strenuously supported the repeal of the Corn Laws in former days, but admitted that the very same principle of financial policy was applicable to the Malt Tax. Sir, I would now, in order that we may see the real nature and incidence of this tax upon malt in all its stages, desire the attention of the House to what the tax is—to what is its amount, its bearing, and its ultimate effects as regards the great body of the consumers of beer, who are, in fact, almost the entire population of this country. It is a generally admitted principle that you ought not to impose a tax on a raw material, because the effect of such a charge is to increase and multiply itself at every stage of the manufacture, until it ultimately becomes double, or treble, or quadruple, the original amount which alone passes into the Exchequer. I ask the House to consider in the first instance the entire amount paid by the consumers of beer in this country; and I believe that amount will place this question in a very striking, and, perhaps, startling point of view. I have made a calculation of my own upon that subject, but it falls short of what I have since found to be the estimate of an authority which will be respected by both sides of this House. I mean the publication called *The Economist*. In that journal it is stated that the sum paid by the consumers for the whole quantity of beer bought and consumed in this country, amounts to £60,000,000 per annum. In my anxiety not to overstate the case I put it down at £50,000,000 per annum; but I will take the amount as set forth on the higher authority of *The Economist*. Now, if the people of the United Kingdom pay £60,000,000 a year for beer, and if, as I believe I can show to be the case, one third of that amount is caused by the Malt Tax, it follows that £20,000,000 a year is the sum paid by the people of this country by reason of the existence of that tax, while only £5,000,000 of that sum passes into the Exchequer for the benefit of the State, £15,000,000 a year being thus thrown away. If the statement I am now making is chargeable with any error, I believe it is a fractional error only, and that the sum lost by the country is even greater than that which I have mentioned. Let us see how the matter stands. There are not less than four stages in the manufacture and supply of beer to the consumer. There is first the purchase and the malting of the barley, and the payment of the duty upon the malt by the maltster; next, the sale of the malt with the maltster's profit to the brewer; then the brewing of the beer, and the sale by the brewer to the publican or beer-shop-keeper; and finally the retailing of the beer by them to the consumer. We must, in the first place, consider the price of barley. It is at present a low price, and I believe it may fairly be set down at an average of 28*s.* a quarter. I take 4*s.* a quarter as the expense of the malting; it is occasionally somewhat more and occasionally somewhat less. The price, therefore, of a quarter of barley made into malt, in the hands of the maltster, is 32*s*. I put the duty upon it at 23*s*. We know that the duty is fixed at 21*s*. 8*d*. on the quarter of malt, but I put it at 23*s*. on the quarter of barley by reason of the increase of the article in the process of malting. That increase sometimes amounts to 2 or 3 per cent, sometimes to 5 per cent, sometimes to a good deal more, and sometimes there is no increase at all. But I think I may fairly estimate the duty on the quarter of barley made into malt at 23*s*. which supposes an increase of 5 per cent; and now I invite attention to what follows. The tax paid by the maltster upon a quarter of malt being 23*s*. upon a cost price of 32*s*., it follows that the price of the manufactured article is thus increased a fraction above 70 per cent by taxation. It is sometimes more and sometimes less. I have received communications from a great number of persons practically acquainted with this subject, and I find from them that the percentage of the tax, as compared with the original price of the malt, varies from 66 per cent to about 76 or 77 per cent; and I think I may fairly put the average at 70 per cent, and not 12½ per cent as we have lately been told upon high authority that it is. The malt thus costs the maltster 32*s*., and the duty 23*s*., or 55*s*. altogether. I will put the profit at which he sells it to the brewer at 5*s*., making its cost to the brewer 60*s*. We now come to another element in the price. The amount of the tax being 23*s*., that charge forms above two-fifths of the 55*s*., and with the proportion of the maltster's profit upon it, becomes two-fifths of the 60*s*. the cost of the malt to the brewer. The brewer has then to undertake an additional expenditure; he has to purchase a quantity of hops which I take at some 7*s*., or 8*s*., or perhaps it may be a little more. I do not know exactly the price of hops at the present moment. But I understand from a gentleman who has just gone through the process that he had to add 10*s*. for hops to the 60*s*. he had to pay for malt, so that his total expenditure under these heads amounted to 70*s*. We now come to the only actual outlay before the beer is manufactured. That outlay is the expense of brewing. Upon this point I have some practical experience, and I believe that when once a person has obtained malt with the duty paid and the hops there is really little or no other expense. Something must be put down for fuel; but when a person brews in small quantities he generally has a fire for some other purpose, and the water in the boiler being heated serves for brewing. But here, again, we are in a state of some uncertainty. I find it stated by farmers and labourers who brew for themselves in small quantities that the process costs them little or nothing, because they would in any case have fires lighted, and they may as well employ them for their boilers as leave them unused. I am met, however, by the argument of the hon. Member for Derby (Mr. Bass), who says that no people would think of brewing in small quantities, inasmuch as they could get their beer cheaper from the large brewers. But if small farmers can brew at home for nothing, or next to nothing, that argument can have no force unless large brewers can brew for less than nothing. The large brewers, however, in London and other places, must be at considerable expense in maintaining their vast establishments. There is the plant and the number of men they employ. But in order to avoid all controversy I add 5*s*. as the cost of brewing, so that the total charge for the converting of a quarter of barley into beer in the hands of the brewer will be 75*s*. Of this, 25*s*. or one-third is duty and profit upon duty; and any additional sum paid by the consumer must be the profit either of the brewer or of the publican as well upon the one-third ascribable to the duty, as upon the two-thirds, the remaining expenditure. Thus one-third of the ultimate price to the consumer is occasioned by the duty. Let us now consider the quantity of good beer which may be made by these means and at this expense from a quarter of malt. Here, again, I have consulted a number of the most competent authorities, who have furnished me with the best information upon the subject. I am told by them—and my own experience confirms me in the opinion—that out of a bushel of malt you may brew eighteen gallons of beer, and you will have in addition some two or three gallons of small beer, which I put down as a counterpoise to any possible error in my calculation. The result is that out of every quarter of malt you will have 144 gallons, or four barrels of beer, at a cost to the brewer of 75*s*. Now, what is the sum the consumer pays for this beer? A portion of it is furnished to families by private brewers in quantities of eighteen gallons or thirty-six gallons, perhaps at about 1*s.* a gallon; but the great mass of the middle and labouring classes purchase it from the publicans in pints and quarts at 16*d.* and 18*d.*; I put, therefore, the average price of all the beer consumed in the three kingdoms, and ultimately paid by the consumer, at 1*s.* per gallon. I believe I should be justified in putting it higher — in putting it at 16*d.* or 18*d.* a gallon; and why do I say so? The great mass of the consumers purchase their beer at the public-houses or beer shops, and the quantity sold by the private brewers is very small in comparison. The best estimate upon this point that I can form is from a Return which shows that the private brewers manufacture about 400,000 or 500,000 gallons for every 4,000,000 of gallons manufactured by the great brewers who supply the trade. I am informed that 16*d.* per gallon is the lowest price at which beer is obtained at a public-house; that a man may get a quart of porter for fourpence, but that he cannot get a quart of good beer for less than sixpence, and this supports the supposition that good beer must be paid for at an average rate exceeding 16*d.* per gallon. A large quantity of beer is also consumed by the higher classes of that description which the hon. Member for Derby (Mr. Bass) enables us to enjoy, and which cannot be bought for less than from 2*s.* to 3*s.* per gallon. What is the general result? Why, that the consumers of this country pay £60,000,000 a year for beer, paying for that beer upon the average at the very least 1*s.* per gallon, and the question being at what price could the beer-consuming public obtain it, if there were no Malt Tax. The answer is, that it would be obtained one-third cheaper, and that the public, instead of paying for it £60,000,000, would pay only £40,000,000 per annum. That would be a saving of £20,000,000 sterling per annum, which is now paid by the public, by reason of a tax which yields but £5,000,000 to the State. If this be controverted—if the Chancellor of the Exchequer should say that if the Malt Tax were put an end to the public would not be able to purchase this large quantity of beer at one-third less than is now paid for it—I undertake to prove, upon the evidence of a great number of persons of character, of property, and of large practical experience, brewers, maltsters persons of every class conversant with the subject—I undertake to prove at the Bar of this House or before a Select Committee that there are practical men, ready and willing to engage, reserving to themselves a substantial profit, to supply beer in any quantity, whether to the public-houses or to families, equal, or more than equal, in quality and value to the average of beer sold in the country, and this good and wholesome beer instead of bad and adulterated beer — at prices which will enable the consumer to purchase it by retail, at two-thirds of the price now paid. Thus I again assert that this tax of £20,000,000 a year is imposed upon the people of this country by reason of the existence of the Malt Tax, from which the State derives some £5,000,000 or £6,000,000 and no more. And I beseech the House to consider upon what classes of the people this burden falls. I will not say that the higher classes are not, to some extent, drinkers of beer, but the great consumers of beer in this country are the least well-to-do of the middle clases, the smaller tradesmen, the shopkeeper and his family, the higher sort of artisans and persons employed in manufactures, and, above all, those among agricultural labourers who can afford to drink their pint of beer. These constitute three-fourths of the consumers of beer. It is upon these classes, undubtedly the least able to bear any species of taxation, that you now impose this mischievous tax of £20,000,000 sterling per annum. Looking back to the principles adopted by Sir Robert Peel and by this House in 1842 and in 1846, every principle of policy and of finance forbids the continuance of this tax, and would forbid its imposition; but it has now been in existence for a century and a half, and produces a revenue of £5,000,000 or £6,000,000; and what with the unwillingness of our Financial Ministers to part with so large a sum, and the inability of the agriculturists to contend with effect in this House against that combination of forces which has hitherto been opposed to their claims, this tax has remained from 1815 to the present day unmitigated and undiminished. Now, Sir, this is undoubtedly to a great extent an agricultural question; but it is still more a question involving the interests of the labouring classes. Let me compare this article with others, and see how it has been dealt with by Governments and Parliaments during the last half century. I will not go further back than 1815. Between 1815 and 1820 our financial system may be said to have been placed on its modern footing, and let me remind the House that between 1815 and 1865 taxes have been remitted—that is, reduced or altogether taken off—on not less than 800 articles of consumption, while the tax on malt alone has been left untouched. Consider for a moment whether this is equal justice between one class of the people and another; consider the condition of the agriculturist and of the labouring classes affected by this tax. I shall not trouble the House with any enumeration of the articles of the Tariff of 1842 and subsequent years, but I hope I may be permitted to refer to one or two of them which may deserve attention. Do not let it be imagined that I complain of this. You put an end to the tax on foreign corn. I agree that that measure has conferred vast benefit on a great part of the population of this country. I agree also that it proceeded on the first and best political principles on which the reform of our financial system ought to take place. It was a tax on the raw material producing bread, the food of the people, one of the necessaries of life, an article of universal consumption. But so is malt. Malt is the raw material out of which beer is manufactured; it is likewise a necessary of life, or at least the only comfort, the only approach to a luxury which the poor man can hope to enjoy; and it is also an article of general consumption, besides being chiefly consumed by the classes least able to bear taxation. The difference between corn, the material of bread, and malt, producing beer, is that bread is an article of equal as well as general consumption, while beer is consumed in much greater proportion by the humbler classes. If, therefore, equal justice is to be done to the consumer of beer and of bread, on the same principle on which the Corn Laws were repealed, the tax on malt ought also to be put an end to. How can you, then, on the principles on which the Corn Laws were repealed in 1846, continue the duty on malt? There are other articles, such as glass, soap, bricks, tallow, and timber, of various descriptions and degrees as regards consumption, and other elements which enter into the consideration of this question. Upon all these articles the duty has been entirely taken away, while on malt it has been retained. I now come to wool and cotton. Again, I do not complain that the duties have been taken off these articles, for they are within the very principles which ought to operate upon the mind of every Financial Minister to prevent a heavy burden being laid upon the consumer while only a small portion of the sum paid passes into the Exchequer. Why was the duty taken off wool and cotton—articles of the first stage of manufacture, and why is it retained on malt? There is another article—paper. I know there has been a great difference of opinion as to the expediency of the removal of the duty on paper, at least as to the time when it should have been taken off. I am not going to revive the controversy. But paper was not a raw material; it was a manufacture, and was taxed by the Excise in undoubtedly a mischievous and vexatious form as regarded trade. I do not complain that that tax was removed; but why, when the manufactured article, paper, was relieved, has the raw material, malt—open to all the objections applicable to paper, and more—been left a solitary exception? Let me now come to another class of articles. I have dealt hitherto with articles wholly or partially of home produce, some of foreign produce, and some of a mixed description, and before I part with them altogether, I would refer to tea and sugar. As regards tea, until lately that was an article exclusively of foreign produce; but now considerable quantities are produced in India, and it may, therefore, be considered also an article of colonial produce. In 1852 tea was taxed at an *ad valorem* duty of 96 per cent. I rejoice that, on what is almost one of the necessaries of life for the middle and humbler classes, a great reduction of taxation has taken place; but I do not see why the labouring man should not take his choice, after a hard day's labour, whether he will take his pint of beer or his cup of tea. I cannot help thinking that we ought not to blame him if he prefers his pint of beer; and therefore I would ask, why are millions of the labouring classes forced to the substitute of tea when beer is the beverage they would prefer? Why is tea, an article chiefly of foreign growth, to be the subject of a large reduction—from 96 per cent to about 33 per cent, while malt is to remain as it was? I make the same observation with regard to sugar. That is an article partly of foreign, partly of colonial produce. The duty on sugar has been largely reduced, and I am glad of it; but I say that malt has an equal claim with sugar to partial or entire remission. Tobacco, again, another of the very few luxuries, almost the solitary luxury of the labouring man. I am not sorry that some reduction has been made in the duty on tobacco, but it is entirely out of the question to compare tobacco with malt. I now come, finally, to another duty, that on foreign wine. I must declare, with unfeigned sincerity, that I am at a loss to conceive on what principles a Financial Minister can justify the giving up of taxes to the amount of £1,000,000, or more, in the course of the year, on an article of foreign produce sent to this country for the benefit of the foreign trader—an article exclusively consumed by the higher classes and the upper portion of the middle classes —a mere luxury, which those who enjoy it are ready, able, and willing to pay for, whatever may be its price. I do feel surprised that an article of foreign produce, grown and exported to this country for the benefit of the foreign trader, limited to the consumption of the rich, should be the subject of a remission of taxation to the amount of millions; while malt, one of the necessaries of life, an article consumed almost exclusively by the middle and poorer classes, remains taxed to the highest amount that it will bear. It appears to me that to remit taxation upon these articles, but to deny remission altogether upon malt, is opposed to the first principles which ought to regulate the conduct of the Finance Minister, and is not acting in a fair spirit to the labouring poor. And this reminds me of a statement of my right hon. Friend the President of the Board of Trade (Mr. Milner Gibson) to his constituents at Ashton-under-Lyne, and also in this House. This speech of my right hon. Friend was not characterized by his usual clearness, for he spoke sometimes of malt and sometimes of beer; but whether speaking of one or of the other, his statement was that malt or beer was taxed to the amount of 12½ per cent. Now, I affirm that the tax is about 33 per cent on the beer and 70 per cent on the malt. I have offered to prove before a Select Committee of this House, that the actual proportion paid by reason of the tax on every quart of beer consumed in this country, taking the average, amounts to one-third, or 33 per cent. So much for the statement of the right hon. Gentleman. But my right hon. Friend went on to say that there were other articles much more highly taxed, and he instanced the case of tea, which he said had been taxed 83 per cent. [Mr. MILNER GIBSON: I was speaking of retail tea.] The confusion arises from the fact of my right hon. Friend dealing in the same terms, at one time, with the duty on the article as imported, or when taken out of bond, and at another treating only of that proportion which the tax bore to the retail price which the grocer receives across the counter. Tea bears now a very reduced duty. Formerly it was an *ad valorem* duty of 96 per cent upon every description of tea. Now it is 1*s.* in the pound upon all descriptions alike. If we want to know what is analogous to the 70 per cent duty paid upon malt, we must know the average price of the whole amount of tea imported, and which is ultimately charged with this duty. I should say, then, under correction, that the average price of tea imported is something like 2*s.* in the pound. [*A laugh.*] Well, Sir, if it be less, so much the better. I wish that Gentlemen conversant with the subject would inform my ignorance. But seeing that we pay at this moment for good tea 4*s.* and 4*s.* 4*d.* per pound, and that the middle classes pay something like 3*s.* a pound, I should myself be inclined to think that 2*s.* is the fair average price for all tea imported and consumed. If it be less so much the better for the people. But, whatever it may be, if you take the average price even at 1*s.* the pound, it will be 50 per cent on the price to the wholesale dealer; while malt is 70 per cent to the brewer. I do not, however, wish to dwell any longer upon any errors into which my right hon. Friend has fallen, because upon a subject of this nature I admit that I am liable to error myself. But when we come to the article of sugar I find my right hon. Friend stated that the yellow and the brown sugars paid 61¼ per cent duty. Now, all I can say is this, that sugar, in reference to taxation, becomes such a complicated question, from the fact that it is of various kinds, and comes from our colonies, as well as from foreign States in every quarter of the world, that I should much rather leave that part of the question to the right hon. Gentleman the Chancellor of the Exchequer, who is, no doubt, better able than I am to distinguish between the one and the other. I will, however, venture to observe if my right hon. Friend the Chancellor of the Exchequer has calculated his receipts at the Treasury, upon the amounts thus stated by his right hon. Colleague, he will find himself grievously disappointed when he comes to compare the sums anticipated with the sums received. I recently received from a wholesale dealer in the article a statement of the duties paid upon the various kinds of sugar. I will not trouble the House by going through them all, I will only take five descriptions of sugar which my right hon. Friend mentioned, and in respect to which he has taken upon himself the responsibility of stating the percentages of duty. Now, I find in every one of those five descriptions the real percentages of duty are from 10 to 20 per cent below those stated by my right hon. Friend. But I pass away from tea and sugar. I have not, however, done with my right hon. Friend; for he thought it necessary, unhappily for himself, to embark upon the question of foreign wines. Now, I fancy I heard with my own ears my right hon. Friend say that, while malt and beer were taxed 12½ per cent, French wine was taxed 22 per cent, the wine of Portugal at 30 per cent, and the wine of Spain at 29 per cent. Now, let us come to close quarters on this point. The duty on the greater part of the wines produced in France — the clarets, almost without exception, and the lighter Burgundies—if I am correct, is 1*s.* per gallon. That I believe is the present amount of duty. I will not stop to consider the proportion of duty on a certain description of French wine which bears the honoured name of "Gladstone." I think, however, it is rather hard upon the right hon. Gentleman that his great name should go down to posterity stamped upon the very worst and weakest of the fluids with which it is his duty as financial Minister to deal. But so it is, and no doubt the right hon. Gentleman will be able to explain how much of duty this particular wine bears in proportion to the price to the consumer. I return to the French wine—the claret—which we drink in our own houses. Of course the price varies from 3*s.* to 4*s.*, 6*s.*, 8*s.*, and even to 10*s.* a bottle. But I will take the wine of 3*s.*, 4*s.*, and 6*s.* the bottle, which those who are content with a moderate quality generally pay for the article. Well, Sir, one gallon of claret fills six bottles, and therefore, the duty upon a gallon being 1*s.*, makes the amount on each bottle only 2*d.* If we take claret at 6*s.* a bottle, the 2*d.* duty on each bottle is only the thirty-sixth part of the price, or less than 3 per cent. But when we come to port and sherry, which are the wines chiefly consumed by the middle, and perhaps also by the higher classes—even taking the price of it to be 3*s.* a bottle, for which tolerably good wine can be purchased in the wood, the duty upon that wine would be only 4*d.* per bottle, or 10 per cent upon the price to the consumer. But, Sir, apart from all comparisons, why have the duties been largely reduced upon foreign wines, the luxuries of the rich, and of foreign production, whilst there has been no remission of duty on the part of the Government upon malt of home production, and the drink of the poorer classes of people? Well, I come now to another branch of the question. Let us consider next what would be the effect in a social point of view of the removal of this tax—what its effects upon the comforts, the well-being, the good morals, and the honest and sober habits of the labouring man. I believe that the first effect would be to supply good and cheap beer to at least a million of men among the labouring classes, who cannot now drink any beer at all; and further, that it would supply to another million of the labouring classes a good and cheap article instead of a bad, adulterated, and dear article, which they are now obliged to drink or to go without. I have already dealt with the question as to what would be the price to the consumers generally of beer if the duty were removed, whether they frequent public-houses or drink it at home in their own families. But let us consider the effect of this remission on the farmers and labourers themselves, and upon those who would then, if they do not now, brew at home. Upon this question my hon. Friend the Member for Derby (Mr. Bass), whose authority every Member of the House must respect, stated that it was quite in vain to imagine that the people of this country would ever brew their own beer, because it was so much more expensive an operation to them than to the great brewers who traded on it and manufactured it upon a very large scale. The Chancellor of the Exchequer instantaneously seized upon that statement with the rapidity and avidity of a falcon, and availing himself of it, made merry with it, adopting the culinary expression of the impracticability of this kettle-brewing. Now let me assure the hon. Member for Derby and the House that I know of my own knowledge that this kettle-brewing, or this brewing upon a small scale by farmers, and even by labourers, is actually practised, and to a very great extent, in the very county of which I have the honour to be the representative, and in the very parish in which I reside. I speak upon the authority of Mr. Biddell, of Playford, and upon my own experience. If the Malt Tax were abolished the increase of this private brewing would be necessarily very great. The labourer need only send his sack of barley to the maltster, who would return to him a sack of malt free from any charge, the maltster being compensated by the increase of quantity in the operation of malting, and what is to prevent the farmer for himself, or the labourers for themselves, even without the aid of the farmer, from brewing their own beer? Mr. Biddell, whose knowledge and authority on this subject are conclusive, has stated that a great many labourers brew their own beer now, notwithstanding the pressure of the Malt Tax and all its vexations. But if the Malt Tax were taken off and a man might brew his own beer, farmers and labourers would both undoubtedly do so, until at least they compelled the brewers to sell good beer at a fair and reasonable price. Mr. Biddell has given us a short statement of the cost if there were no Malt Tax of brewing beer as good as that now sold for 16*d.*, 18*d.*, or 20*d.*, per gallon in the public-houses and the beer shops. A bushel of barley at 29*s.* per quarter would cost 3*s.* 7½*d.*, the cost of malting, &c., at 4*s.* 6*d.* per quarter, would be 6¾*d.* The advance in the price of barley if the Malt Tax were repealed Mr. Biddell put at 3*s.* per quarter, or 4½*d.* per bushel; one pound of hops he estimated at 1*s.* 6*d*; and the fuel 6*d.*, making the entire cost of brewing 20 gallons of good beer 6*s.* 6¾*d.*, or 4*d.* per gallon, 1*d.* per quart, or a halfpenny per pint — grains and small beer paying for labour. He says that if the malt tax were repealed, there would probably be a great advance in the price of barley, and he therefore allows 3*s.* per quarter for this advance. This allowance is a guarantee for his candour and fairness, and so we may take it that good beer could be thus brewed at 4*d.* a gallon if there were no Malt Tax. This is not a speculation, but it is a matter of fact which cannot be controverted. Will any one then tell me that if the Malt Tax were abolished, the farmers and labourers would not brew their own beer, and thus secure a comfortable, wholesome, and nutritious beverage, at one penny per quart or a halfpenny a pint? In the part of the country in which I live, agricultural labourers are only paid 11*s.* or 12*s.* a week. They consequently cannot afford to drink beer, at least such of them as have families, and they are obliged to abstain the whole year from it, except at harvest time, when it is given to them as part of their wages. In taxing this article of malt, it therefore follows that you really tax the price of labour to the labourer, because you tax the very article which in harvest time he receives as part of his wages. And even those who can afford to drink their beer would, if this tax were remitted, be able to obtain a good and wholesome article for themselves and families in their own homes, instead of being obliged, as they are now, to frequent public-houses for the purpose of buying a bad and deleterious article. I believe that the abolition of this tax would effect a social revolution of a most beneficial character in the habits of the people generally, especially in those of the agricultural labourers; and further, that it would confer an inestimable benefit upon the artisans and mechanics and workmen throughout the trading and manufacturing districts of the country But let me now say a word in reference to a class of gentlemen for whom I entertain the highest respect, and whom I regret to find among my opponents upon this question. I mean the numerous supporters and members of temperance societies. Now, I declare with the most perfect sincerity if I thought that the extinction of the Malt Tax would tend in the slightest degree to increase or to encourage habits of intemperance in any class of the people, I would not for one moment stand forward as its advocate. But I believe the very contrary would be the result. Is it because drink can be had cheap and good and in plenty that people would be induced to get drunk who otherwise would remain sober? Look at our own history, and remember the domestic habits of the upper classes some sixty years ago. The duty upon wine was 7*s.* and 8*s.* and 9*s.* a gallon. The price of wine was double what it is now. Did that prevent the old English gentleman of other days from indulging in excesses, which now we look back upon with wonder and shame? Are we more or less temperate now, when wine is half the price, and the duty next to nothing? Well, then, I believe that the effect of taking off this tax would be not to increase drunkenness nor to encourage intemperance, but rather by substituting a good and a wholesome, for a bad, an adulterated, and a deleterious drink, to induce the people to obtain beer by brewing it themselves, and drinking it with their families in their own homes instead of going into public-houses and mixing with bad companions, and indulging in habits of intemperance, and at last of crime. I have now done; but let me say a word or two before I sit down in reference to the position of Ireland and Scotland in relation to this subject. I own I heard with much surprise in a former debate the Chancellor of the Exchequer appeal to the Members for Ireland and Scotland in an argument to this effect—that it would be unfair to take off this tax because it would only benefit the people of England, but would confer no advantage upon Ireland or Scotland. Well, Sir, if it were so, if it were true that the remission of this tax would confer benefit only on England, is it possible that the Members for Ireland and Scotland would refuse to assist us in removing from ourselves, their fellow-countrymen, the burden of an unjust and galling tax, because they happen for the moment to be free from its weight and pressure? No, Sir, I am satisfied that no such argument will have the slightest effect upon the minds of just and conscientious men from whatever country they may come. But I deny the fact *in toto.* I take issue upon it; and I say that the removal of this impost would greatly benefit both Ireland and Scotland. I say that there is a long line of the coast of Ireland on which inferior barley, if not the best, could be grown in great quantities. Such barley could then be easily converted into malt and used for the feeding of cattle. I maintain, therefore, that the abolition of the Malt Tax would indirectly confer upon Ireland a great advantage—such an advantage as might afford some compensation for the mortal injury which the people of that country sustained by the repeal of the Corn Laws. I am, therefore, much surprised to hear the Chancellor of the Exchequer, or any other Member of this House, assert that the abolition of this tax would prove beneficial only to this portion of the United Kingdom. I have received communications from many parts of Scotland, not only from farmers but from persons in other occupations, and they all agree that it would be a great benefit to Scotland if you could encourage the consumption of cheap beer and diminish the consumption of raw spirits. Here, then, I take my stand. I ask the Chancellor of the Exchequer to explain to the House why it is that this tax on malt, an article of British produce, of British manufacture, and of general consumption—a tax which presses most heavily upon the middle and the labouring classes, upon those least able to bear the burden of any taxation whatever—a tax involving high moral and social as well as political and financial considerations—I ask, why should this tax be left standing by itself amidst more than 800 of other taxes reduced or repealed, this tax, and this alone, not only unrepealed, but undiminished? I know that I do not contend on equal terms with the right hon. Gentleman the Chancellor of the Exchequer. His eloquence may be applauded, and his measures supported, if not altogether approved by a majority of this House. He may turn a deaf ear now to the voices of those classes who cannot make themselves heard in this House, where, alas, they are outnumbered and borne down. But I tell him that this state of things cannot last. It is with the cultivators of the land, and with a great number of the consumers of beer, as it was with the paper-makers and others who have become the victims of a course of legislation which, though I do not deny that it has conferred considerable benefits on numerous classes, has also inflicted deep and permanent injury on others. These, the sufferers, may indeed yield in becoming, though not uncomplaining submission, to the decisions of this House, but they will feel, until their grievances are redressed, that they have not had equal justice, with other classes of the community, at the hands of the Legislature. The hon. and learned Member concluded by moving his Resolution.

Sir BULWER LYTTON: Sir, I rise to second the Motion of my hon. and learned Friend. In his able and exhaustive speech he did not exaggerate the importance attached to the relief from the Malt Tax by the great body of agricultural producers; and the amount of the tax, which, no doubt, seems to many Gentlemen the strong reason for retaining it, seems to the farmers the strongest argument in favour of its repeal. What the farmers say is this, "When you tell us that this tax produces £6,000,000 a year, you only bring more vividly before our eyes the extent to which we are defrauded in the fair exercise of our industry and skill. Here you call in free trade in order to compel us to vie with the corn-growers throughout the world, and when in this struggle we turn to that crop on which we ought most to rely, because in that crop we are most a match for the foreigner, your free trade resolves itself into a tax of £6,000,000 on our raw material; and you make the very amount of the spoliation the reason why we should submit to be despoiled.'' But it is not only against the free cultivation of barley that the tax militates. Its tendency must be, more or less, to derange the natural process of agriculture in the unfettered selection of crops. Agriculture is a course of tillage spread over a certain series of years in a certain rotation of crops; and in that year in which the farmer would and ought to sow barley, our common-sense must tell us that the presence of this tax at once obtrudes itself on the consideration of his choice, and will often induce him to select another crop more exhausting to the land, less appropriate to a judicious place in the regular course of his husbandry, and less lucrative than barley would be if barley were left free from the exciseman. You cannot, therefore, wonder to find many farmers declaring, at the various meetings which have been held on this subject, that they will not grow a bushel of malt so long as the tax lasts. And if the tax thus deters farmers from selecting a barley crop even in the barley-growing districts, how much more will it tend to prevent the introduction of that crop in other parts of these kingdoms to which it would be invaluable as an article of cattle food, if it were not frightened away by a duty of 21*s.* 8*d.* a quarter? Thus by the positive discouragement you give to a crop in which England naturally excels every other nation, you exclude it altogether from many soils to which it would be well adapted, and you stint the whole agricultural wealth of the country to a far greater amount than the revenue benefits by so mischievous a tax upon a raw material. The question becomes still more important as to the operation of the tax, not only against the farmer, but against every class of consumer, and against the elementary source of national wealth, which consists in the fertility of the soil, when you consider its injurious effect upon the quantity of stock kept. For stock implies two things—first, meat to the consumer; secondly, manure to the soil. Whatever tends to restrict the quantity of stock kept tends to make meat less plentiful and of higher price, and tends also to rob the land of the manure necessary for its nourishment. If you have no stock, you have no farmyard heap. If you have no farmyard heap, you have no guarantee for the permanent and continuous fertility of the soil. Artificial manures are like doctor's drugs—they may do great good for a time, they act as restoratives or alteratives; but they can no more supersede the necessity for the natural manure of the farmyard heap than doctor's drugs can supersede the necessity for food. The farmyard heap is the food of the soil, and nothing can supply its place. Now, let me ask any of those distinguished practical agriculturalists, of whom there are so many in this House, if I am not right when I say that just in proportion as, since the repeal of the Corn Laws, successful farming has ceased to depend upon the price of corn, it ought to depend upon the increased cultivation and keep of stock? And yet, I ask again, can there be a greater discouragement to the increase of stock than a law which restricts the farmer in the growth of his own food for it? And what kind of food? Why, precisely that which can be grown upon almost any soil. Therefore, this tax, which some consider only the grievance of the farmer, and others ridicule as a mere question of beer, operates against every constituent you have in towns or boroughs, because, by discouraging stock, it raises the price of meat, and by defrauding the soil of the manure which is its most lasting fertilizer, there is nothing that the soil can yield which it does not render dearer, while it diminishes the taxable wealth of the whole community. But the Board of Trade has issued a Report on the eve of this debate which, in common fairness to Members, who in questions of practical detail naturally desire time to confer with practical authorities, it ought to have issued some weeks ago, containing an account of a course of experiments on cattle food; by which Report it is made to appear that barley unmalted gives more weight to cattle and more milk to cows than barley malted; and thus, it is contended by a powerful daily journal, that one main argument for the repeal of the tax is destroyed. That those experiments were made fairly the name of Mr. Lawes is to me a sufficient guarantee. As a Hertfordshire man, I am too proud of the fame of that eminent chymist to disparage his authority. But Mr. Lawes, were he here, would agree with me when I say that the whole history of physiological science shows how little faith is to be placed in any preliminary course of physiological experiments — or even in a second or third course—however plausible they may be. For instance, a series of experiments was made on the transfusion of new blood into diseased subjects, which appeared at first so triumphantly successful that it created a profound sensation throughout Europe. Everywhere medical men adopted the practice, but the result so upset the theory founded on these experiments, and caused so many sudden and violent deaths, that the Parliament of Paris actually declared the transfusion of blood to be criminal, where it was not formally authorized by the medical faculty. The inventor, despite the unquestioned success of his early experiments, was sent into banishment, and the whole system fell into discredit till revived in our day and placed on a scientific basis. But how? Why, by allowing that the first process of experiments, though apparently so successful, was altogether based upon an erroneous principle, that the subsequent course was equally fallacious, because adhering to the same error of principle, and showing by experiments founded on a principle before unacknowledged, and now generally recognized as sound, where and how the process may be beneficial and where it must be fatal. But in the whole history of experiments nothing has required so many repetitions, and undergone such revisions of scientific opinion, as experiments analogous to those of the Board of Trade which have been made upon the relative merits of articles of nutrition. Here the deductions drawn from the first course of experiments, made by the ablest authorities, have been almost invariably disproved by a second course of experiments, and the second disproved by a third; and to this day the whole subject is one of the most complicated and mysterious in which rival physiologists can engage. I think that one of the last of these inquiries on the merit of comparative articles of nutriment made by the physiologists of the continent was whether, according to scientific experiments conducted on principles of selection exactly similar to those adopted by the Board of Trade, only selecting varieties of men instead of varieties in the inferior animals, more nutrition was contained in the roast beef of Old England or in the boiled leg of a donkey. I believe the first experiments were in favour of donkey, but I am now assured that, on second thoughts, sound philosophers give the preference to beef. Sure I am, however, that if the raw material of donkey yielded to the revenue £6,000,000 a year, a Board of Trade would never be at a loss to find a preliminary abstract report to justify its predilection for donkeys. Therefore, Sir, with all respect to the Board of Trade, I object to take their Report as in any way settling the question. We are not to suppose that during all these years farmers themselves had not been testing the relative merits of barley and malt as cattle food, with every inducement to prefer barley because it is untaxed. Numberless persons have made these experiments. I will single one, because he is as high an authority as even Mr. Lawes on this subject—Mr. Booth, of Catterick, Yorkshire—who, as the largest stock-breeder in England, and perhaps, in the world, has tried both barley and malt in every conceivable combination, and found that though barley might require to be very slightly steeped, it must be steeped enough to be chargeable to the tax in order to be of general advantage, and in that case he would have given it the most important place in cattle food, if the tax did not render it too expensive. Thus, I am quite sure that we shall shortly hear from numbers of persons of unquestionable authority, that the result of their experience is totally at variance with the Report of the Board of Trade. But we will now assume, for the sake of argument, that the Report establishes the fact at which it aims, and even then it will not affect, except to strengthen, our proposition that the Malt Tax operates against the increase of stock. And for this reason, assuming that unmalted barley is better than malted barley for the food of cattle, still it will be the inferior barleys devoted to that object. But the Malt Tax, as the leading journal I have before referred to allows, is a fine on the inferior barleys, and a fine which the same authority admits is sufficient to discourage the sowing of inferior barley—that is, to discourage the growth of cattle food in barley, whether it be malted or unmalted. My right hon. Friend the Chancellor of the Exchequer, whose faith in the legitimate laws of competition, and whose vast information on all subjects belonging to philosophical inquiry must make him, at heart, somewhat sceptical as to the value of those experiments on which the Board of Trade seem to reply, saw that in the application of malted barley to cattle food there was an argument with which it was difficult to cope; and, therefore, in his Bill of last year, he attempted to encourage the experiment of malting barley exclusively for the purpose of cattle food. I wish to do the amplest justice to the enlightened consideration for the interests of the meat consumer—in other words, for the whole population of England—which is evinced by the intention of his Bill. But I am sure that his candour will at once allow that the effect of that Bill must be extremely partial. I am ready to concede, for the sake of argument, that it has done more good than is generally supposed; but, on the other hand, it must be quite clear to him—it must be quite clear to every man of sense—that only a very small number of farmers and stockkeepers will attempt the experiment of malting for cattle food, with all the vexatious restrictions heaped upon the experiment, with all their jealous dislike of the exciseman, with all their natural and excusable desire not to co-operate in assisting a contrivance by which the tax itself is to be retained—a very small number, indeed, compared with those who would grow barley for the sake of malting if malt were free from duty and they could count on the double profit of malting, both for the food of cattle and the drink of man. And out of that great increase in the quantity of malted barley the larger part would necessarily go to the food of cattle, because that is the proper destination of the inferior barleys which at this moment are almost a drug in the market. But, apart from the direct application of malt to cattle food, and apart from the Report of the Board of Trade, and regarding only the application of malt to the popular beverage of malt liquors, the repeal of the Malt Tax would inevitably tend to the increase of the quantity of stock kept. For malt so applied, if free from duty, would be a new and large item of profit to the farmer; it would thus increase the general farming capital, and that increase of capital would find its natural, because its most profitable, vent in the increase of stock; while, if the working-class paid less for their beer than they do now, they would of course have more to spend upon butchers' meat; and thus there would be at once created an additional supply of, and demand for, that main article of human food—meat, all tending to the encouragement of keeping stock, and by the manure produced from the stock all tending to the increased fertility of our soil, even for wheat crops, and, therefore, all tending to the cheapening of bread itself. For it is clear that the manure which the farmer would obtain by growing untaxed barley he would devote to the land which is to grow untaxed wheat. Is it not a strange anomaly that you should say to the bread producer, "You must give us the cheapest bread which unlimited competition with foreign countries can secure;" and then inflict on the bread grower a tax which directly frustrates your object of cheap bread; because it mulcts the capital by which the bread crops are produced at home, and cheats the land of the nourishment which the bread crops require? If this tax raises £6,000,000 a year from the raw material of the agriculturist, what is it but £6,000,000 withdrawn from one of the most reproductive sources of the wealth of the nation? I ask, then, is not this relief essential to the consummation of free trade? Is it not the fair demand of skilled labour to be free from a tax upon the raw material? And if you wish that raw material to be worked up so as to contribute a fair benefit to the consumer, do you suppose that you can effect that object by the partial experiment of a handful of maltsters with the exciseman at their backs, and all the complicated machinery by which malt may be rendered unfit for the use of man? No; you can only effect your object in the common-sense natural way, by the unshackled competition of the cultivators of the soil, by whose skill, industry, capital, and labour, the raw material of the soil is to be raised and increased. Now, there has been a strange attempt to prejudice the true merits of this question by narrowing them to the mere effect of the tax upon malt liquors. But, quite apart from that article of consumption, I think I have shown that the tax affects the price of meat and of bread; that it affects the productive fertility of the soil, and therefore, of course, everything which the soil produces. But its effect on malt liquor is not a thing to be ridiculed. First, as to quality. I bring no charge against respectable brewers. I do not believe that they adulterate beer by any deleterious ingredients. But it is not from the respectable brewers that the workmen get their beer. The beer of the working-class is bought retail, and we are told by an eminent chymist that the beer retailed to the working class is agreeably compounded of quassia, wormwood, and cocculus indicus, which last has the special advantage of being a poison that insures speedy intoxication. So here I grant that you may say to the working man, "It is true that the tax raises the prices of your beer, but then it gives you these two blessings in return—it accelerates the stupefaction of drunkenness, and shortens the probation of this mortal life." Secondly, as to the effect of the duty on the price of malt liquors. I shall not here attempt to add anything to the calculations of my hon. and learned Friend. Whether it only tax a quart of malt liquor at 12½ per cent, as my right hon. Friend the President of the Board of Trade assures us, or, as my hon. and learned Friend contends, 50 per cent, that is a matter which I leave entirely to those more competent than myself to deal with. I may, indeed, think it strange that malt liquor is only taxed 12½ per cent, when the malt which we in the innocence of our hearts assume to be its principle ingredient is taxed 70 per cent; but I am old enough to know that there is no conjuring trick equal to that of figures in the hands of a clever Minister. I am contented to take my stand on the simple certainty, which the President of the Board of Trade is the last man to dispute—namely, that according to the law of competition, which affects the operations of trade, the repeal of the Malt Tax would give to the consumer of malt liquor his most probable chance of having the best quality at the lowest price, and while the tax lasts he certainly has neither. But permit me to add that I think it would be difficult to persuade the working man that you apply your legislation fairly to him when, in the name of free trade, you so largely reduce your duties on the beverage of the rich, and then, in the name of the revenue, refuse all mitigation of a tax on the beverage of the poor—taking such special pains that the working man shall not have the best drink at the lowest price that your last legislation on the subject exhausts the ingenuity of mechanicians in order to exclude the man from the advantage you are willing to give to a cow or a pig. But, Sir, the Malt Tax is entitled to our first consideration, not only for the reasons I have stated, but because it now stands prominently foremost among the objects for which the income tax was first imposed. What the farmers feel and say is this, "You have levied an income tax of which we pay a share, for the avowed object of establishing free trade as the mainspring of all fiscal legislation. Availing yourselves of this mighty instrument, you have given relief to other classes of the community in the taxes or duties by which their energies were most crippled, or of which their complaints were most loud; but, all alone, we agriculturalists have been thrust out of the pale of your benignant consideration. The exciseman stands between us and the free culture of our soil, just as he stood before free trade was an experiment tried upon ourselves, or the income tax drew from our pockets monies which have gone to the relief of others. You have conceded to fellow-sufferers far less numerous than we are all those arguments against the principle of excise duties to which you turn a deaf ear when they are urged by us. Bricks and soaps and paper have all had priority over our complaints. But we now ask—and is it too much to ask?—that the income tax shall complete its object, and give us, however tardily, some share of the relief which our contributions to that income tax have so largely assisted to give to all industrial occupations except our own?" "Oh," but it is said, "we do not dispute the justice of your demand, but then your grievance is so lucrative to the Exchequer. How can you expect us to repeal all at once a duty that yields £6,000,000 a year? A mere reduction would not satisfy the agitators, and would not get rid of the exciseman." And finally, reasoners of this kind sum up by saying, "Since we cannot give you all, we will give you nothing." But is that the way Reformers deal with reforms? or is it in that way we are "to rest and be thankful?" Why, every abuse would last to the end of time if one party did not concede a something and the other party accept a something as an instalment of the whole demand. Do not forget that in this very temperate Motion we do not ask you to take off the whole tax all at once. We only ask you to begin to take it off by any instalment you have to spare, and continue to bear us in mind whenever you can take off old taxes without imposing new ones. I do not deny that I desire and that I argue for the ultimate and total repeal of this tax; but I say this on behalf of our friends the farmers, that they are like other Englishmen—show them that you are in earnest to redress their grievance, and they, in turn, will have confidence in you as to the mode and manner of doing so, without too sudden a derangement of your financial operations; but do not dismiss them by the mockery of saying, "Since we cannot at once give you complete justice, we will give you no justice at all. Instead of justice we give you a Report from the Board of Trade." I earnestly entreat hon. Gentlemen on both sides of the House to regard this question with that fairness and freedom from prejudice which I am sure is their natural desire upon all matters that affect the general interests of the community. Do not be biassed against the Motion because it emanates from these Benches; do not suffer it to become a party question; and do not regard it as a mere farmers' question, on which you have no interest if farmers are not your constituents. It is one of those instances in which the grievance of the producer is the wrong of the consumer. And, indeed, if I have proved to you how the tax raises the price of meat, meat is much more consumed by your constituents in towns than by our labourers in the counties. And now, as to the amount of the tax. Is it really so great a difficulty if you will but grapple with it? The Chancellor of the Exchequer told us last year, on introducing his Budget, that since 1860-1 the real diminution in our taxation had been £6,668,000. That is within three years above £500,000 more than the proceeds of this Malt Tax which, we are now told, is protected from even an approach by the sanctity of its colossal injustice! But you say that approach cannot be made with safety to the revenue. Yet so safely to the revenue did you sweep away more than six millions and a half of taxes on industry in three years that last year you had two millions and a half again to give away, and this year I believe you have much the same. All these great reliefs were effected because you were in earnest to effect them while you could avail yourselves of the income tax. Be only as earnest to complete, by this relief, the objects of that income tax, and ways and means will be found in this case, as they have been found in others, in which a relief to the national industry has proved to be the readiest means to increase the national income. I have always said of this House of Commons, in which it is more than thirty years since I first had the honour of a seat, that there has never been a popular Assembly, on the whole, so alive to the principles of political honour, nor an aristocratic Assembly, on the whole, more desirous of doing equal justice between man and man; and it is from a respectful but profound conviction that neither according to honour nor to justice you can play fast and loose with those professions and pledges in free trade which make the repeal of the Malt Tax the logical and inevitable consequence of the Corn Law, that I entreat you not to reject the Motion of my hon. and learned Friend.

Sir Bulwer Lytton

Motion made, and Question proposed,

"That in any future remission of Indirect Taxation, this House should take into consideration the Duty on Malt, with a view to its early reduction and ultimate repeal."—(*Sir FitzRoy Kelly.*)

MR. NEATE rose to move the following Amendment to the Motion:—

"That, considering the immunities from taxation now enjoyed by the owners and occupiers of land, they are not entitled to any special consideration on account of the pecuniary pressure of the Malt Tax; and that, if, on other grounds, that tax should be reduced or abolished, compensation to the Revenue should be sought, in the first instance, by withdrawing from landed property the advantage it now has over other property in the shape of total exemption from Probate Duty and partial exemption from Succession Duty and Income Tax."

He said, he was aware that there was something in the terms of his Amendment which, in the eyes of many hon. Members, would appear to be in the nature of an audacious paradox. He had to some extent incurred the reproach of ignorant hostility to the landed interest, and, therefore, he begged to observe that for the last twenty years he had been very much concerned with the management of landed property, and during that time had neglected no opportunity of having personal intercourse with the cultivators of land. He had given a greater proof of his friendly attachment to the cause of the agriculturists than almost anyone on his (the Ministerial) side of the House. There was one circumstance which he would name, because by way of friendly intimidation it had been threatened to be cited against him if he resumed his opposition on this subject. He once wrote a pamphlet in favour of Protection, and he was not ashamed to own it, because he did so with the permission, and, to some extent, with the encouragement of the right hon. Gentleman opposite (Mr. Disraeli), whom he was glad to see in his place, and his performance was honoured with that right hon. Gentleman's emphatic approval. The hon. and learned Gentleman who began the present debate insisted principally on the claims of the consumer. That was the best way of putting the matter before the House; but that was not the way in which it would go before the hon. and learned Member's constituents. There was no doubt that the real character of this claim was not that of being a claim on behalf of the consumer, but it was in reality a claim for some indefinite pecuniary advantage. It was meant as some retaliation for what the right hon. Baronet who last spoke conceived to be past injuries, and some compensation for past evils. Therefore, it was very relevant to inquire what were the immunities which land enjoyed, and what were the special burdens to be set against them. In some minds those burdens were so multifarious that no one knew where to begin with them. Some people thought that all the expenses incident to country life were to be regarded as burdens to be taken into account as grounds for consideration for relief from the Exchequer. Subscriptions to a school or hospital, and even the expenses incident to attending church oftener than was the case in towns, were regarded by some as reasons entitling them to relief. The great local burden was, of course, the Poor Rate, and it was argued that the land was unjustly used because stock-in-trade was not taxed; but so long as the agricultural unions were for the most part inhabited by persons occupying land, so long as the principle of local liability and assessment prevailed—and he hoped it would prevail, for he saw no safety in any other principle—it did not matter one sixpence to the agriculturists whether stock-in-trade was taxed or not. If the Poor Rate were a national rate, then, no doubt, the case might be different. The county rate contributed in a greater degree than it ought to Imperial purposes, but it was not the land only which contributed. A large amount was paid also by house property in the suburbs of boroughs and in market towns, which had to pay borough rates besides. It was said that the Land Tax ought to be regarded as a special burden on land, but that tax, being a very old and settled one, became no tax at all. When the property was sold it was taken with the estate and was no more felt as a tax than tithe. Towns were subject to the Land Tax, although the contributions of newly-built ones were trifling. London paid a considerable tax, but Liverpool, and all new towns, paid not more than a halfpenny or a farthing in the pound. But all these new towns contributed to the house tax, whereas the lightly taxed portions of the land contributed an incredibly small portion of the tax. The Chancellor of the Exchequer obtained only a small per centage from agricultural houses. Of the 37,000,000 acres of land in this country, not less than 25,000,000 were of a character subject to cultivation. Only 23,000 houses were on that land, and the average amount they were rated at was £24; and justice would not be had in this respect so long as the local authorities continued to be the assessors. Farm-houses contributed one-sixtieth of the whole. These were rated at £24 per year; whilst other houses, including the residences of the gentry, were rated at an average of £50 per year. The Committee of 1846, by an estimate of Mr. Pressly, Surveyor of Stamps and Taxes, put down the amount of immunities enjoyed by the landed interest in respect of fire insurance, horses, dogs, &c., at upwards of £900,000. They would not amount to that now; but in direct and intentional immunity they still amounted to £450,000. He now came to the sources of immunity referred to in his Notice. Land was formerly exempted from probate duty because wills devising real estate only did not require probate; the reason for the exemption had now ceased, and he hoped that one of the taxes to be substituted for the Malt Tax, if it was repealed, would be a probate duty upon land. As to the succession duty the exemptions were of an unaccountable character. If a man received a gift of land in fee-simple, he paid no more than if he obtained only a life interest; and what was still more extraordinary was that while landowners were allowed to pay the duty by annual instalments, if they died before they had discharged the full amount, the instalments were not charged against their successors. How could men have the audacity to put forward such preposterous claims, and what excuse had the Chancellor of the Exchequer for yielding to them, except the necessity for submitting to the predominance of an interest against which and without which no Ministry could live for a day. Another advantage enjoyed by land was that it did not pay the same amount of income tax as was charged upon other property. The income tax upon land bore a less proportion to its capital value than did the duty levied upon any other property. He knew that in making this statement he differed from the Chancellor of the Exchequer. That right hon. Gentleman argued that if the income tax lasted for ever, it made no difference whether a man enjoyed his income for a short term of years or a long one, and that the tax would in either case bear an equal proportion to the value of the property. He had endeavoured to see the force of this reasoning, but he had not been able to do so. It always appeared to him to resemble the consolation addressed to a man who was suffering under an unexpected calamity, that it would be all the same a hundred years hence. The income tax varied in amount, and the advantage derived from its fluctuations by the owners of land, was greater than that enjoyed by any other class of the community, because the capital of their property bore a greater proportion to the income. The landed interest actually complained of the great increase of the capital value of their land, because that was the real meaning of the statement that land now paid only 2½ or 3 per cent. The value of land had increased above everything, and their real complaint was that while during the last twenty years their rents had only increased 10 per cent the capital value of land had increased 30 per cent. The tenant farmer paid duty upon only one-half of his income, although under the income tax of Mr. Pitt he paid upon one-third. This was justified upon the ground that all that he paid was deducted from the rent, and that therefore the landlords paid an income tax and a half. But if whatever was a burden to the tenant became a burden upon the landlord, whatever was a benefit to the tenant must be a benefit to the landlord; and if it was true that men engaged in the cultivation of land escaped taxation to which they would be liable if they embarked in other occupations, the result would be that the landlords paid only half an income tax instead of an income tax and a half. He admitted that that seemed rather a subtle argument and he had only arrived at it himself with considerable care. With respect to the Malt Tax, what was the burden of which they complained? That burden must be exactly commensurate with the benefit they expected to derive from its repeal, and with the increase of rent they would obtain. As the farmers' friend he asked hon. Gentlemen opposite how much they meant to add to their rent. Perhaps they were not prepared to tell that now, but it was to be hoped that they would tell it to the farmer on the hustings. In his own county he would take care that that question should be asked. Hon. Gentlemen opposite were in this predicament; they either contemplated such an increase to their rents as they durst not avow, or they thought that increase would be so small that its loss would not be worth considering in contrast with the immunities he had shown they enjoyed. He might be charged with audacity, but he was disposed to return the compliment and express his astonishment at the moral courage with which the advocates of the landed interest came forward, seeking on such grounds to disturb the financial arrangements of the country. He had seen symptoms of a desire to do that, even at the expense it might be, of the interests and honour of the country, by forcing upon every department of our expenditure an indiscriminate retrenchment, not for the sake of economy or to diminish the pressure on the community at large, but to increase the gains of one class, and that the most flourishing. The House had already heard two distinguished Members of the Conservative party, and probably it would by-and-by hear those who were supposed to represent that party's financial policy. What, he asked, did they mean to do? Would they, if the result of the next election gave them possession of the Treasury Benches, propose either a considerable reduction or the total repeal of the Malt Tax in their first Budget, or in their second? Perhaps they might propose to do it in their third Budget without much fear of having their pledges to fulfil. In their first Budget, no doubt, the repeal of that tax would be conspicuous by its absence. They would be able to make excuses, and to say, not only with plausibility, but with great truth, that it was all the fault of the present Chancellor of the Exchequer; for it would be because that right hon. Gentleman had diverted the overflowing stream of his revenue into a wider channel, because in the application of his ever recurring surplus he had taken into consideration not only the material, but the moral wants of the community; because in a certain sense he had frittered away the resources of the country in the payment of its just debts, that neither he nor his successor would be in a condition to meet the importunate claimant who now thundered at his gate. But if the effect of the Chancellor of the Exchequer's policy, whether prudent or imprudent, was to make the repeal of the Malt Tax for many years to come entirely out of the question, why did right hon. Gentlemen opposite hold out the hope of it to the country? He knew why they did that. Such a course might be successful for a season, but those who adopted it could not expect permanently to benefit by it. The time would come, if it had not come already, when the English farmer would grow weary of that oft-told tale of the repeal of the Malt Tax, when he would renounce all such visionary hopes, and, still more, those feelings of barren resentment, which the men who called themselves his friends, for their own political purposes sought to keep alive in his breast—when he would turn with something even of indignation upon those who bade him, since he might not hope for victory, seek at least for revenge. And revenge against whom? Against those who never meant him any harm, and had never done him any, but who ought rather to be regarded as his best friends, because they had never lured him on by delusive hopes of dishonest gains; because they had forced him to rest his hopes of prosperity on the sure and certain ground of equal right, and because they had taught him to discover, and that by no very painful experience, that the bottom of the great river of free trade, was a very good bottom when they came to it.

MR. WHITE seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "considering the immunities from taxation now enjoyed by the owners and occupiers of land, they are not entitled to any special consideration on account of the pecuniary pressure of the Malt Tax; and that if, on other grounds, that Tax should be reduced or abolished, compensation to the Revenue should be sought, in the first instance, by withdrawing from landed property the advantage it now has over other property in the shape of total exemption from Probate Duty and partial exemption from Succession Duty and Income Tax,"—(*Mr. Neate,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. DU CANE said, he did not rise for the purpose of following the hon. and learned Gentleman who had just sat down into his somewhat elaborate network of figures on the subject of the burdens on land, as the hon. and learned Gentleman had furnished a most excellent reason for his not doing so, inasmuch as he had frankly told the House that it took him a very long time to arrive at an accurate comprehension of his own argument, and the House might very fairly excuse him (Mr. Du Cane) from not comprehending them on the spur of the moment. But as he and his constituents took a great interest in this subject he trusted he might be permitted to address a few observations on the main point at issue. He congratulated his hon. and learned Friend the Member for Suffolk (Sir FitzRoy Kelly) not merely upon the able and lucid speech with which he had introduced his Motion, but upon the improved position which this question now occupied. No doubt last year the question of the Malt Tax was discussed under great disadvantage. They had to contend with two powerful rivals—in the war duties on tea and sugar, and the income tax—to the reduction of which the leading Members of both sides of the House were undoubtedly pledged. All they could do last year was to lay their case fairly before the House, apart from those party feelings which he was sorry the hon. and learned Gentleman had had the bad taste to impute to them, and show that they were thoroughly in earnest, but this year they fought their battle under different auspices. They were first in the field. There was no rival claimant, save the vague and shadowy one indicated, if indicated it really was, in the Amendment of the hon. and learned Member who had just sat down. No doubt when the Chancellor of the Exchequer introduced his Budget he would summon up a host of rival claimants, as no doubt he would that evening assign a host of reasons to show that the Malt Tax was the only tax which ought to be left untouched. But as yet the hon. and learned Gentleman was their only adversary, and his line of attack was a rather peculiar one. His Resolution did not affirm that the Malt Tax ought to be retained because it was wise, just, and beneficial, but simply that the landed interest had no claim to a reduction or repeal of the Malt Tax on account of their immunity from the probate duty and income tax. If, however, "on other grounds" the tax were to be reduced, meaning as he (Mr. Du Cane) supposed, for the hon. and learned Member had not been very explicit on this point, if the repeal would benefit the manufacturer as well as the agriculturist, then the deficiency was to be made good by another pull at that pet milch cow of hon. Members below the gangway—the landed interest. Now, in the first place, he (Mr. Du Cane) replied that if a *primâ facie* case could be made out against a particular tax, that it was unfair and unjust, and against the leading principles of our commercial and financial policy then it was no argument for its maintenance to urge that it should not be abolished because any one interest in particular would be benefited by the repeal of that tax. It might with equal justice have been urged in the case of the manufacturers of soap, glass, and bricks, all which duties had been repealed in the last twenty-five years that the great bulk of them were exempted from burdens peculiar to the land such as tithe and land tax. And when a few years since this side of the House strenuously opposed the abolition of the paper duty, he thought they might with equal justice have moved a Resolution to the effect that as the manufacturers of Manchester and Birmingham were the principal parties to benefit by the repeal, the deficiency to the revenue should be made good by a special rate on the manufactures of Manchester and Birmingham. And in the next place, he ventured to deny that the repeal of the Malt Tax was exclusively a landed question; it was a question which affected the interest of the consumer as much, if not more, than those of the producer, and especially it was the question of the whole mass of the labouring population both in town and country. He also denied that the landed interest enjoyed an immunity from taxation either upon account of income tax, legacy duty, or other Imperial or local taxation. Now, first as to the case of income tax. If they compared the amount of the gross rental upon which the owner of landed property was arbitrarily assessed with the net rental he actually received, they would find that at least 16 per cent must be allowed for deductions for repairs and other outgoings before a penny of income reached the owner's pocket. That is to say, that the owner of land and houses paid not only upon 16 per cent more income than he actually received, but he also paid on 16 per cent more than the manufacturer and merchant, who made his own returns and was allowed to make these deductions. This statement was an arrow he had ventured to borrow from the quiver of the Chancellor of the Exchequer, and he further believed he was not overstating the case when he said that at this moment the owner of land and houses was paying, as contrasted with those assessed in the other schedules of the tax, in the proportion of 8*d.* to 6*d.* in the pound. The hon. and learned Member (Mr. Neate) laid great stress on the argument that the occupier of land was only assessed to income tax upon half his rental; but he (Mr. Du Cane) would reply that even in the best of agricultural times looking to the slow and limited character of agricultural profits such an assessment was only just, while when agricultural prospects were bad or indifferent, as at this moment, those who were connected with land knew that the farmer frequently paid income tax upon utterly imaginary profits, as he realized scarcely any income. Passing from direct to indirect taxation he would now refer to one or two other burdens on land; and first he would refer to the Customs which the hon. and learned Gentleman had entirely forgotten to mention. If they looked at the Customs Returns they would find that about one-fourth of the entire income raised from that source was derived from the duty upon tobacco; that was to say that while all those classes who were connected with land contributed equally with others to the duties upon tea and sugar, and other items of Customs revenue one-fourth of the entire Customs revenue we derived was levied upon the prohibition of the growth of an article in this country which he believed a large quantity of the soil both of England, and Ireland, was as well qualified to grow as the land of Holland and Germany. Passing to the Excise, they found that nearly one-third of the Excise revenue was levied by a single tax, which if it did not altogether prohibit at least very materially restricted and disarranged the growth and cultivation and use by the farmers of a leading article of agricultural produce. He must say he could not gather from the hon. and learned Member (Mr. Neate) what special immunity from taxation the landed interest enjoyed at this moment. It was true he had said something about exemption from probate and succession duty, and it was true that the land was partially exempted from those duties; but against this there was to be set more than £1,000,000 that was paid for unredeemed land tax into the Exchequer, and which the Committee of 1846, so much relied on by the hon. and learned Gentleman, specially described as being one of the heaviest burdens the land had to bear. And if in addition he placed also to the account the very large sum which had been expended in redeeming the other portion of the tax, the interest upon which sum was a portion of the revenues of the State, this, he contended, would leave a very considerable balance of payment in favour of the landed interest. The main question for their decision, however, did not relate to the old battle-cries of twenty years since, which had reference to the special burdens upon land as compared with other interests, but whether the Malt Tax was the tax of all others which on the ground of justice as well as the general benefit had the first claim on the attention of the Chancellor of the Exchequer. Upon the ground of justice, he ventured to say that the existence of the Malt Tax at that moment was a living testimony to one of the greatest breaches of faith ever perpetrated by the House of Commons. He affirmed that apart from every other argument. There was a distinct pledge by nearly every distinguished leader upon the other side of the House, at the time of the adoption of a free trade policy, that if the Corn Laws were repealed, the repeal of the Malt Tax should follow as a matter of course. He would not again quote the authorities to which he referred last year upon this matter, and which had now become as familiar "as household words" in every market town in the country. He admitted that the farmers were unwilling at that time to accept the compromise, and looking back calmly and dispassionately as he did through a long vista of years at the history of that time, he now thought that they lost a golden opportunity; but because one party in a great quarrel took a mistaken view of the objects for which they should contend, it was no reason why the leaders upon the other side of the House should change their war cries, and seek to retreat from their engagement. Now that they had arrived at the time of continued surpluses, and when the Chancellor of the Exchequer had been enabled to do justice, and more than justice, to rival claims, the time had surely come for the fulfilment of the outstanding pledge to the farmers of the country. In his opinion the House ought to bring to bear upon Her Majesty's or any other Government, all the constitutional and legal pressure in their power to force them to redeem the pledge given to the farmers so long ago. He should like to say a few words upon what the hon. and learned Gentleman (Mr. Neate) said was quite beyond his comprehension, the injustice done to the farmer by the Malt Tax. His case was simply this—that at a time when the price of wheat was so low as to be hardly remunerative, and when the imports, particularly from America, were so large and increasing as to be likely still to depreciate its value, the farmer would, if it were not for the restriction of this Excise law, seek to redress the balance by growing less wheat and more barley. But the operation of the Excise law was such as to render all but the first-class barley, which only a very limited portion of the soil of this country was qualified to grow, a mere drug in the market. And thus the operation of a single tax was to restrict and disarrange the whole course of English agriculture. The farmer was forced into exhausting his land by growing crop after crop of spring wheat when he would gladly grow barley, because under the existing laws wheat unremunerative as it was, was a safer crop to grow. And there could be no doubt that at the present moment the quantity of wheat grown in this country was as far above the average as the quantity of barley was below it. Mr. M'Culloch, a most important authority on such matters, had estimated that if the soil of this country were cultivated according to the proper rotation of crops there ought to be under barley about 2,500,000 acres; and this quantity of land would produce, upon the moderate calculation of between four and five quarters per acre, 10,000,000 quarters of grain. But the amount paid to the revenue—£5,500,000 —in the form of the Malt Tax showed that duty was paid upon only 5,000,000 quarters, of which our yearly returns proved that at least 2,000,000 quarters were foreign. Where, then, were the other 5,000,000 quarters? There was no doubt a considerable quantity of barley consumed for seed and for food for poultry, cattle, and pigs; but there could be no doubt equally that a large portion of the 10,000,000 quarters was not grown at all; that at the present moment there was not above two-thirds of the land which should be cultivated for barley which was so employed. And when the hon. and learned Gentleman opposite talked of the farmers partial exemption from income tax, he should like to know what amount of income tax the Malt Tax in the case of the farmer might be fairly said to represent. Sir Robert Peel estimated years ago, and the correctness of his estimate had never been disputed, that, except in the cider-growing counties, every farmer who farmed 300 acres consumed, in the course of the year, 100 bushels of malt. Taking the rent of 300 acres at 30*s*. per acre at £450, the farmer would pay income tax upon £225, which at the present rate of 6*d*. in the pound, would amount to £5 10*s*.; but upon his annual consumption of malt, with a duty of 21*s* 8*d*. a quarter, he would pay £13 10*s*., which was equivalent to an income tax of 14½*d*.

in the pound. He did not, therefore, think that the hon. and learned Gentleman had very satisfactorily made out his case of partial exemption from the income tax. And he paid this enormous charge while he had in all probability a large quantity of barley lying useless on his hands, which but for the Excise duty, he might convert into a good and wholesome drink for his labourers. And here he should like to refer to one or two opinions of his constituents with regard to the Chancellor of the Exchequer's scheme for allowing malt to be used for feeding cattle; and if ever there was a season when its merits would have been likely to have been put fairly to the test, it would be the present one, when, from the general failure of the turnip crop and the scarcity of all feed, the farmer had been driven to every possible shift to find food for his stock. But from buyer to seller he had received only one concurrent testimony, that the utterly needless restrictions imposed by the Excise, by which the measure had been encumbered, rendered it down to this moment practically a dead letter. A large cornfactor and dealer in artificial manure wrote to him in these terms—

> "I have invested in a quantity of the new malt condiment, but I have no demand for it. The fact is, under the present absurd Excise restrictions, it cannot be sold at a price at which the farmer can afford to buy it, and while they continue in force it must continue also to remain a drug in the market."

He had also the testimony of one of the largest farmers and breeders of stock in the country. He said:—

> "The making of the Chancellor of the Exchequer's malt mixture is encumbered with so many vexatious restrictions that very few persons indeed will subject themselves to the strict surveillance of the Excise, and thus the making of it will in a degree become a monopoly, and make the price too high compared with other food, being now £12 a ton, while barley is scarcely £7, and oilcake from £9 to £11. I think you are scarcely aware of the strict regulation of the Excise in carrying this law into execution, nor of the expenses entailed by it to the country. A person intending to make this compound, even upon a small scale, must in the first place provide a house upon the premises for the exciseman, whose business it is to be constantly on the premises, and if he is called away the persons are locked in until his return, particularly so when grinding of malt and linseed and the consequent mixing is going on; so that if an accident from breakage of machinery or any other cause should take place their escape is impossible. This appears to me to be almost curtailing the liberty of the subject, and is quite contrary to the freedom of Englishmen."

Another large farmer and tenant of his own wrote as follows:—

> "Having sent a quantity of barley and linseed of his own to be ground at a neighbouring manufacturer's, and the mixture having been made, a sample had to be transmitted to Somerset House, where the authorities were between ten days and a fortnight sitting on it, much to his inconvenience and loss of time in fattening his stock."

He added—

> "Having previously purchased a ton for £12, I can recommend it from experience as the most valuable condiment that could be used, were we allowed its use without the admixture of linseed, which occasions an extra expense of 14*s*. a quarter, to say nothing of the risk of adulteration."

The hon. and learned Gentleman the Member for Suffolk and the right hon. Baronet the Member for Hertfordshire had so ably dealt with the case of the consumer, as regarded the operation of this tax, that he did not feel it necessary to trouble the House with any remarks on that head. But there was one argument upon which he should like to say a few words, inasmuch as *The Times*, a few days ago, in dealing with the great meeting at Freemasons' Hall, said that no farmer's friend had ventured to grapple with it—the old Protectionist cry, that if the duty were taken off they would be inundated with large importations of malt and undersold in their own market. Now that was simply an old Protectionist argument, and being such could not possibly be advanced by any Member upon the opposite side of the House; for if such an inundation would occur, hon. Members opposite ought to make merry over it and to vote in a body for the repeal of the Malt Tax; but the real truth was that they were exposed at that moment to as full and free an importation of barley as they were ever likely to have. And if the duty were taken off, the great mass of the barley imported into this country would reach it as now too late for malting operations; while as to the importation of malt itself he had been credibly informed that it was an article that would not travel well, and the effect of a sea voyage would render by far the greater quantity that reached this country unfit for any brewing purpose. But there was another reason why the farmer did not dread any great importation of foreign malt and barley, for he knew that whenever this argument was used against him there were those highly respectable gentlemen, but Leviathan monopolists, the big brewers, at the bottom of it. The farmer believed that the first effect of the repeal of this Malt Tax would be to knock the monopoly of the great brewers upon the head; and resuscitate thousands of smaller breweries and maltings that the Excise law and suspension of the malt credits had extinguished; and knowing this, the farmer was perfectly prepared to stand his own ground and risk the consequences of the importation of foreign malt. In conclusion, let him say that he did not think that the history of the question of Malt Tax repeal was altogether creditable to the good faith of the House and some of its leading Members. It was now more than thirty years ago, when there was great agricultural distress, and under the leadership of Lord Althorp, that this question was first discussed; and the House one evening agreed to reduce this tax, but the same House a few days after rescinded its vote. In a year or two Sir Robert Peel came into office, and when the question was again moved he told the landed interest that he would repeal the Malt Tax, but that they must accept instead a property tax, and must make up their minds to a repeal of the Corn Laws. The landed interest did not like the exchange, and the subject was quietly suffered to drop. In a few years more the right hon. Baronet came again into office; the first thing he did was to impose a property tax, but somehow or another he quite forgot to repeal the Malt Tax. A few years passed away, and Sir Robert Peel began to contemplate a great financial change, and he and every leader of that change said that if they on that side of the House would only consent to the repeal of the Corn Laws the repeal of the Malt Tax must necessarily follow; but the Corn Laws were repealed, the property tax retained, and again the question of Malt Tax repeal fell into abeyance. A few years after the star of the country party was for a short time in the ascendant, and the leader of that party bethought him of the theories and the pledges of his free trade opponents, he framed his financial schemes in accordance with those theories and pledges; but a change had come over the spirit of his opponents' dreams; they turned round and refused to ratify their former engagements. Then came a lengthened period of war, and high expenditure, and the Malt Tax was made in no slight measure to bear the burden, but as the hour of peace and retrenchment returned so did the question of Malt Tax repeal again revive. We were told to have a little patience, to wait till the taxes raised exclusively for war purposes had been first reduced. These duties had now been reduced; faith had been kept with the country; but they were told again that this question of Malt Tax repeal was to be still further postponed. He ventured to tell the noble Lord at the head of the Government (Viscount Palmerston) that in neglecting to deal with this question he would not act wisely or well; that there was a limit to even agricultural forbearance; and he warned him that they were now, once for all, embarked in an agitation that would never cease until this long-standing engagement had been performed. It might be, perhaps, thought now, as in the days of Walpole, that "the farmers, God bless them! would bear shearing as easily as their own sheep;" and the Chancellor of the Exchequer might, perhaps, adopt the definition of a witty publication that "deputation" was "a noun of multitude signifying many, but not much;" but he (Mr. Du Cane) must again warn the Government that the feeling as regarded this tax had increased, was increasing, and would increase. The right hon. Gentleman had told them that his duty was not to part with revenue except upon compulsion, and that if they would attain their end they must agitate. They on that side of the House were not fond of agitation, but he was afraid that they had no recourse but to adopt the weapons they had been advised to use. They had already taken the means for providing "pressure from without," and it remained for the House to give the pressure from within, and by adopting the Resolution of the hon. and learned Member (Sir FitzRoy Kelly) not merely to affirm a reduction of taxation just, wise, and beneficial in itself, but to put the copingstone upon that system of free trade which they had been so long taught to regard as an inevitable law; and settle a question which he, for one, would willingly suffer to glide from the arena of party contention.

Mr. THOMPSON was willing to admit that the Malt Tax was a bad tax, but if every bad tax was to be repealed he was afraid there would be very few taxes. But before they adopted a Resolution which would tie the hands, not only of the present Chancellor of the Exchequer but of many future holders of that office, it should be shown that the proposed relaxation would confer a general benefit on the large class of agriculturists for whose advantage it was principally intended, or failing that, at least that those who derived the benefit from it were those most in need of relief. The present proposal was deficient in both those requirements, and he laid down the two following propositions : — first, that the great majority of the agriculturists of the United Kingdom would not derive any benefit from the repeal of the Malt Duty ; and secondly, that that portion who would derive benefit were precisely those who had the least claim to relief. Of course any large remission of taxation must in a greater or less degree benefit all classes, but with that reservation he believed himself able to prove his first proposition. Taking first the case of Ireland, and treating the question first as one affecting the growers of barley, he observed that barley was not a staple agricultural product of that country. Live stock and the products derived from live stock occupied the first position; then came oats, potatoes, and wheat; but barley came very low in the scale, and there could be no disputing the fact that the great body of the agriculturists of Ireland would not, as growers of barley, derive much benefit from the proposed repeal. Then, again, with regard to Scotland, the greatest agricultural product was live stock. There were some parts where good barley was grown, but taking the country through it was incontestably the case that the great proportion of the agriculturists, as growers of barley, would derive no benefit from the remission of the Malt Tax. In England, also, there were large grazing districts, dairy districts, downs and uplands, and there was here, therefore, a large portion of the country where the agriculturists, not being growers of barley, were not interested in the question of the duty. Take, next, the large clay districts of England. Clay grew barley of inferior quality, and not in quantity sufficient to make up for the defect of quality. But even supposing there was a greatly increased demand for malting barley, and clay-grown barley was taken for the purpose, it would come into competition with foreign barley, of which the quantity imported had increased of late years, until in 1863 it considerably exceeded 2,000,000 qrs., and the hon. Member for Derby (Mr. Bass) had informed him that within the last few months he had purchased no less than 40,000 qrs. of French barley for malting. The returns for 1861-2-3 showed that though the price of barley had steadily decreased the importation had equally steadily increased. He was persuaded that any attempt to force the growth of barley more extensively on clay would only be attended with disappointment. Then as to the question of feeding, would the price of barley be so much increased by the additional demand for malting as to benefit the cultivators of clay lands by raising the value of the barley they could grow for feeding purposes ? He thought not. An acre of wheat grown on clay was worth for feeding purposes more than an acre of barley grown on clay. The value of wheat for feeding purposes had never been fully appreciated until this year, when the scarcity of turnips induced farmers to feed their animals on wheat, and they did remarkably well upon it, the cost being 50 per cent less than when they bought cake for the purpose. Farmers on clay lands would not, then, either as growers of barley or feeders on barley, benefit by the repeal of the tax, and this proved his first proposition; for, adding to the clay lands the grass lands and uplands, and taking Scotland and Ireland into account, clearly the great majority of the farmers of the United Kingdom were not interested in the repeal. As to the question of the superiority of malt to barley for feeding purposes, he had been a practical farmer for twenty-five years, he had carefully attended to all the experiments upon that subject, and had found malted barley useful for sick animals deficient in appetite, and in the preparation of animals for shows, but taking it as a staple food, he believed malt was no better than barley. He should not have been brought to that conclusion to his own satisfaction had it depended merely upon the experiments at Glasgow, or those tried with such care and accuracy by Mr. Lawes, but they were prepared for the results obtained in those trials by the knowledge that in the process of malting, barley lost a certain quantity of its most valuable qualities for feeding purposes, and experience showed that barley was wholesome, easily digestible, and palatable food for stock of all kinds. For these reasons he was decidedly opposed to the opinion that any advantage whatever would be derived in feeding cattle upon malt, except for purposes which he might call the millinery of farming. With regard to his second proposition, they all knew that for a series of years past the occupiers of barley land who were for the most part great sheep farmers were precisely those who had been making money, while the clay land farmers had met with little success. But the clay land farmers who had sold their wheat for several years at unremunerating prices, and the farmers of Ireland who had experienced so many bad harvests, would derive little or no advantage from the repeal, while those who had been doing the best would receive the greatest benefit. He was the owner and occupier of good barley growing land, and therefore was naturally prejudiced in favour of the repeal; but he opposed it because he was convinced that if carried it would disappoint the expectations of its supporters.

MR. MORRITT thought that he could hardly be expected to give a silent vote on the present occasion, inasmuch as the Motion was almost identical with that which he last year submitted to the House; and he could not hesitate, now that the question had fallen into abler hands, to give it his cordial support. Although he achieved no great success with his own Motion, yet, upon the present occasion he entertained strong hopes, grounded upon two circumstances—first, his firm belief in the justice of the cause; secondly, faith in the tribunal before whom it was brought. He believed that a great majority of their constituents sent them to the House in the firm conviction that they were sending men who were intrinsically honest—men above being swayed either by party interests or party feeling—men who were really anxious to serve their country to the best of their ability, and to carry out the great principles of justice. He had heard it said that in bringing forward subjects of this nature independent Members ought not to consider what effect their propositions would have on the finances of the country, for that was not their business, but the business of the Chancellor of the Exchequer. So far from agreeing with that, he thought, on the contrary, it was the bounden duty of every Member bringing forward a Motion to consider how it would affect the finances, and to place himself, as it were, in the position of the Chancellor of the Exchequer. When he brought forward his Motion last year, he did endeavour to consider the matter in that light: and in so considering it, he found that ever since he had been a Member of that House there had always been a yearly surplus of revenue, in spite of the reductions of taxation which had gone on, owing partly, no doubt, to the excellent management of the Chancellor of the Exchequer; but not altogether to that, but owing still more to the wonderful prosperity of the country, a considerable portion of which was owing to patriotic men, who left this country, perhaps in a penniless condition, made large fortunes abroad, and came home to spend them. He then considered what taxes had been repealed or reduced and what had not, and he found that there was scarcely one besides the Malt Tax which had not been so treated. Therefore, he thought there could be no doubt of the justice of the cause he was advocating. After the speech of the Mover, and especially after the speech of the right hon. Baronet who seconded the Motion, it was unnecessary for him to enter at large into the merits of the question. He would only ask why was it that the Malt Tax was the only tax which after these continual years of surplus had not been touched? Considering the nature of it, he should have thought it would have been the first. It had been condemned by all their best statesmen down to Sir Robert Peel; and Sir James Graham said of it, "that it was a tax that enhanced the price of malt; that that enhanced the price of beer, that that lessened its consumption, and that, therefore, it was detrimental to the growers of barley and to the farmer." It prevented a landowner from doing what he pleased with his own land, as he could not grow barley to malt for the use of his own household and servants, or arrange his rotation of crops to the best advantage. That surely was an interference with the national liberties of Englishmen. With regard to the feeding of cattle, and the comparative value of barley and malt, he wished to say that he cared nothing about these experiments. He asked the farmers themselves. He represented a constituency of 14,000 or 15,000, and a good many of them were farmers. They told him unanimously that this tax was a great detriment to them in the matter of feeding cattle; when the farmers themselves said that, did the House think he would listen to the Board of Trade? It was only fair to the farmers that they should have the option, and try experiments for themselves. Now he would endeavour to put himself into the shoes of the Chancellor of the Exchequer—he hoped he should never arrive at that consummation—but supposing himself to be the person to whom an application of this sort should be made, he should say to himself, "How can I meet it?" Of course that must all depend upon circumstances. They had heard to-night that there was probably a surplus of three millions—he hoped it would turn out to be four; but taking it at three, he would see what demands were made upon it. There was now an outcry (in which he concurred) against the duty on fire insurance; there was always an outcry against the income tax; and there was the Malt Tax. He would, under these circumstances, apply £1,000,000 to the reduction of the fire insurance, and the rest, whatever it was, to the reduction of the Malt Tax. The income tax was reduced a penny last year, and might very well wait till next year. But if this was thought inexpedient, he would reduce the income tax one penny, take off the fire insurance duty altogether, and keep the rest over as a surplus, in order to be able next year to apply four millions to the reduction of the Malt Duty. Some hon. Members said the farmers would reap no advantage from the reduction; but they should allow the farmers to be judges of that. The hon. Member for Whitby (Mr. Thompson) told them that the repeal of the Malt Duty would benefit those who were already prosperous, and would not assist those who were struggling with the strong clay lands. But, if so, why was this clamour so general? Still he said, let the farmers judge for themselves. He (Mr. Morritt) did not pretend to be a practical farmer of twenty-five years standing, like the hon. Member for Whitby, and he therefore took the opinion of practical farmers—like, for instance, Mr. Booth, a thoroughly practical farmer of acknowledged excellence, and a constituent of his own, who had already been mentioned in the debate. He (Mr. Booth) had said over and over again that he could prove to a demonstration that the Malt Tax was an impost hung around the necks of the farmers like a millstone. The hon. Member for Whitby was a great railway director, and had a thousand things to do. If he were a *bonâ fide* farmer, and a farmer only, then he might be put in the scale against Mr. Booth; but, as it was, his arguments were as light in the balance as he would be physically against Mr. Booth, who was a very stout man. He would not detain the House longer. He rested their cause on its justice and truth; but if, after the eloquent speech of the hon. Baronet (Sir Bulwer Lytton), and the unanswerable arguments of the hon. and learned Gentleman who proposed the Motion, hon. Members were not convinced, nothing he could add would produce that result. All that he asked was that they should remember those speeches, and then act justly and according to their convictions, not being swayed by considerations as to which side of the House they sat, or by any private interest, or by party considerations.

Mr. HARDCASTLE said, he had given notice that he should move the Previous Question. The forms of the House did not permit him to do so while the Amendment of his hon. Friend (Mr. Neate) was before the House; but, as he hoped that Amendment would be withdrawn, he should then adhere to that course. He wished to discuss for a few moments the question how this Malt Tax affected the interests of all classes in Her Majesty's dominions, both producers and consumers. He believed there was no financial question about which there were so many misunderstandings, and he might almost say misrepresentations; and he would endeavour to prove to the House that, so far as the interest of the consumer was concerned, the tax was a boon rather than an evil; and that as far as the interests of the growers of barley were concerned, they were by no means injuriously affected, and that in fact the growers of the best samples of barley received a considerable bonus in consequence of the operation of the Malt Tax. The hon. and learned Member for East Suffolk, (Sir FitzRoy Kelly), laboured under one of these misunderstandings. In his argument he went on swimmingly up to a certain point, and then he fell into difficulties; he said that £60,000,000 was spent in the course of the year upon beer, and that of this sum £20,000,000 was attributable to the influence of the Malt Tax. He did not, however, prove that statement in the slighest degree, but said that if he were allowed he would prove it at the Bar of the House, well knowing, of course, that he would not be called upon to do so. When, therefore, misrepresentations were made in that House it was not surprising that they were more rife out of doors. There was a meeting, of which the hon. and learned Member was Chairman, the other day, which would prove his assertion. It was composed chiefly of farmers, and there were besides a few Members of that House, of whom some made speeches. The hon. Member for Oldham (Mr. Cobbett) asked a very important question—namely, what was the price of barley, and although it was a meeting of farmers no one could answer. There was a scene of confusion for some minutes, and the hon. Member was obliged to answer his question himself. At that meeting there was one remarkable speech containing a number of these prevalent errors. It was made by a gentleman named Punnett, whom he did not know, but who was described as Chairman of the Central Association for the Repeal of the Malt Tax. This gentleman gave his opinions with greater confidence than taste. For instance, he complimented the ninety-nine Members who voted last Session with the hon. gentleman (Mr. Morritt), as the ninety and nine just men who needed no repentance. That was rather a curious compliment to pay hon. Gentlemen, and perhaps if the speaker had remembered the context he would not have used the comparison. Amongst other things Mr. Punnett said that there were 9,000,000 quarters of barley produced in this country, of which two-thirds were positively excluded from malting operations by the tax. But what was the real state of the case? Why that five and a half millions of quarters actually were malted last year. But his most remarkable statement related to the price of beer. He said that beer now purchased for 1*s.* a gallon from the brewers, and 1*s.* 4*d.* from the retailers, could be brewed but for the tax for 4*d.* a gallon, but a more extravagant assertion could hardly be made. The real fact was that for one quarter of malt about 130 gallons of the ordinary beer alluded to could be produced. The Malt Tax on these 130 gallons would amount to £1 1*s.* 8*d.*, as nearly as possible 2*d.* a gallon. The practical result to the consumer was this. An artisan drinking two quarts a day would contribute to the revenue the sum of 6*d.* a week, or 26*s.* a year. The case of a farmer paying a part of the wages of his men in beer would be somewhat similar. He would take the case of a man with 100 acres of arable land employing four men. The practice, he believed, was to give the men much weaker beer generally, increasing its strength during the harvest time. The amount given to each man would be about two pints a day. The farmer would consequently pay about 1*s.* a week, or 52*s.* a year to the revenue. That was not a charge of which the labourer or the farmer had any great reason to complain. It was generally argued by gentlemen in favour of the repeal of the tax that barley on the removal of the duty would rise in price. He held, however, that the contrary would be the case. Gentlemen who were in the habit of looking at the Reports of Mark Lane must be aware that there was a steady range of prices from the inferior to the higher qualities of grain, and it must be tolerably evident that the marketable price was regulated by the cost at which the lower qualities could be either grown or introduced into the country. The prices of barley had a range of about 15*s.* per quarter from the lowest grinding to the highest malting qualities—but the tail governed the head; the price of the highest was ruled by that of the lowest; and any tendency to a rise which might result from the repeal of the duty, would, he thought, be checked by the enormous quantity of other feeding stuffs that were daily imported into this country. If they remembered the present unprecedented low price of barley—lower, in fact, than it had been for ten years, and how foreign grain was poured into London during the winter, they could not doubt that the tendency which a bad harvest would have to raise the price of grain would be naturally checked by the large extent of our importations. Owing to the protective Customs Duty, no foreign malt had found its way into the English market, but if the Excise were removed, the Customs Duty, amounting to 25*s.* a quarter, would have to go too, and the English farmers must make up their minds to find foreign malt coming into active competition with that which was produced at home. Considering all these things, there was, he thought, good reason to believe that the price of inferior barley would not be enhanced by the repeal of the Malt Tax. But what about the best barleys, those barleys which, under the present state of things, were made into malt? Would the price of such barleys rise, fall, or remain stationary if the Malt Tax were repealed? Before entering into that question he must remark that he saw no reason to anticipate a largely increasing consumption of malt if the tax were repealed. The lowering of the wine duties was not at all a case in point. In that case the great diminution of price enabled large classes of inhabitants of this country to buy foreign wine who had never bought it before; but all classes drank beer, and it was not likely that a man would drink much more because the price was a little reduced. Now, as regarded the superior descriptions of barleys, he thought their price would fall relatively with the repeal of the Malt Tax. The tax was levied not on quality but on quantity, and the consequence was that the best barleys paid no more duty than the worst. It was, therefore, an advantage to the brewer to buy the best barleys rather than the inferior kinds. The lowest quality of barley that could be profitably employed for malting purposes was worth about *25s.* a quarter at present; and while a quarter of that kind of barley contained about 75lbs. weight of fermentable matter, the best qualities contained about 90lbs., or about one-fifth more. It followed that best barley was naturally worth one-fifth more in the market than the worst, so that if the latter sold for *25s.* the former might be expected to sell for *30s.* At the present time, however, the best descriptions of barley could not be bought under *35s.* a quarter. There was, in fact, a direct bonus of *5s.* a quarter to the grower, so far as the best barleys were concerned, owing to the operation of the Malt Tax. The hon. Member for East Suffolk said, that one result of repealing the Malt Tax would be that labouring men would desert the public-house and brew at home. Was the hon. and learned Member ever in Suffolk at harvest time? He (Mr. Hardcastle) did not deny that kettle-brewing was carried on in that county; but in the harvest fields it was usual to ask for *largesse*, and he presumed that whatever money was there given was not spent in kettle-brewing. The repeal of the tax would not alter human nature. The man who had been in the habit of going to public-houses would continue to do so were the Malt Tax repealed. He would not go less frequently because his drink was cheaper; he might do so if it were dearer. The public-house, as had been said, was the poor man's club. He went there to read the paper, or have it read to him; he went to see his friends; and sometimes he stayed at his club too long; but so long as human nature remained what it was a reduction of the Malt Duty would not abridge attendance at the public-house.

COLONEL BARTTELOT said, the last speaker had risen to defend the brewers monopoly. He denied that a remission of the tax would benefit the labouring man; he denied that it would benefit the farmer who farmed poor land; he denied that it would benefit the farmer who farmed land that would grow first-class barley, because, he said, the man who could grow first-class barley sold it at *5s.* more than he would without the tax. He (Colonel Barttelot) denied the assumption; he denied that the tax kept up the price of the best barley; his conviction was, that if the tax were repealed the best barley would command a higher price than now. He had consulted the best authorities on the subject, and he found the general opinion to be that if the tax were repealed the barley trade would be invigorated. It had been said that when he brought forward his Motion last year he was advocating the cause of the plaintiff in "Barley *v.* Sugar." That was not the issue. It was the relative claims of barley and sugar, when a surplus was to be disposed of. The temperate Motion of the hon. Member for East Suffolk must commend itself to the House, because it did not ask for immediate total repeal of the tax, but for repeal when it could be effected without prejudice to the interests of the country. It simply asked that when a remission of taxation were practicable the claims of the Malt Tax should be considered. He thought the Chancellor of the Exchequer could not deny that the question deserved consideration. The Chancellor of the Exchequer would not deny that when the advocates of repeal attended him at a deputation he urged them to agitate on the question. Well, that agitation had been carried out quietly and respectably. They had asked that the tax might be considered when there was a surplus. But he (Colonel Barttelot) did think that the tax had a prior claim to abolition before any indirect tax. As an independent Member he said this was no party question. It was a question which affected the interests of all classes of the community. He was sure it was not made a party question on this side of the House. If it was made a party question at all it was so made by those who sat opposite, particularly those on the front Benches, and who, by neglecting to perform the promise they made years ago, had imposed on those representing the landed interest the necessity of demanding redress. To say that the barley-growing farmer was not hampered in his trade by the tax on malt was equivalent to saying that its repeal would not benefit him, remembering that according to present prices one bushel of malt was worth two of barley. He (Colonel Barttelot) said, on the contrary, that the benefit to the farmer from the repeal would be exceedingly great. The tax depreciated the value of barley to the extent of 3*s.* a quarter. Supposing a farmer did not harvest his barley in first-rate condition he was not able to sell it for malting purposes, although it might be malted advantageously but for the duty, and he lost not only that 3*s.*, but he lost another 3*s.*, making a total of 6*s.* a quarter, which was a very serious loss to the man farming 300 acres—allowing 60 acres for meadow and 240 acres arable. He would annually grow 60 acres of barley, which, at five quarters an acre, would be 300 quarters; the loss, therefore, if well harvested, would be £45, if badly harvested, £90. Supposing the tax to be repealed, how would barley be raised in price? The maltster would go unfettered to market and purchase at the full value, the same as millers now do with wheat. At present all but the best quality of barley was a drug in the market. If he was right it was a very hard case that this tax, so far as the agriculturists were concerned, should be maintained. As a principle of free trade, he raised the question; and it was as a principle of free trade that it ought to be treated by the right hon. Gentleman the Chancellor of the Exchequer (Mr. Gladstone). He (Colonel Barttelot) was afraid that the right hon. Gentleman the President of the Board of Trade (Mr. Milner Gibson) had also forgotten his free trade principles. He was afraid that when that right hon. Gentleman stepped up from below the gangway his free trade principles vanished; he lost the vivacity and vigour which once distinguished him, and became a steady, sober going official. The right hon. Gentleman, in his speech at Ashton-under-Lyne, taunted the Conservatives with keeping up the expenditure of the country and then expecting the Malt Tax to be repealed. He (Colonel Barttelot) denied this. No men who had ever sat on the front Benches had spent so much money as the present Government. He appealed to the Gentlemen below the gangway; and he said that the House were bound to exert themselves to promote retrenchment in expenditure, and then there would be a surplus which would afford the opportunity to repeal the Malt Tax. Years ago one could hardly go over the agricultural portions of England without seeing a malt-house in every village. Where were they now? Turned into cottages. But the maltsters had disappeared. And why? Because of the shortness of the credit given to maltsters by the Chancellor of the Exchequer. He would just read to the House a Report from the *Inland Revenue Almanac* for the year 1861, which said—

> "The period of credit for payment of the duty on malt has, this year, been again further reduced from twelve to six weeks. There has been a gradual decrease in the number of persons licensed, and in the number of malt-houses, within the last ten years; and the diminished credit will probably have the effect of accelerating the movement towards the concentration of the trade in the hands of the larger capitalists. Lest this should be attributed entirely to the recent alteration in the law, it may be well to call attention to the following account, from which (as inserted in the Report) it appears that in ten years there has been a decrease of 1,667 licensed maltsters, and of 1,322 malt-houses, although the quantity of malt made has very largely increased."

Then the hon. Member for Bury St. Edmunds said, that if the Excise duty on malt were repealed, the Customs duty on malt must be repealed also. That duty he (Colonel Barttelot) believed was 25*s.*; the duty at home was 21*s.* 8*d.*; but he thought it would be no hardship on the foreigner that the difference between the Customs and the Excise duties (*i.e.*, 3*s.* 4*d.*) should be retained if the home duty were repealed; for if foreign malt were bonded, there was no duty charged till the sale was effected. Was that the case with our maltsters at home? The foreigner had nothing to pay till he sold. But the home grower had to pay the right hon. Gentleman at once; and, moreover, to give longer credits than the foreigner. To the foreigner everything was *couleur de rose*; not so to the home grower. A great deal has been said concerning the benefit that would arise from the feeding of cattle on malt; and the right hon. Gentleman introduced a Bill last Session for allowing barley to be malted for cattle-feeding purposes, care being taken to prevent its use in brewing. He held in his hand a Return stating the number of malt-houses opened for the making of this malt. The number was twenty-eight. Only twenty-eight people could be found to attempt to manufacture this condiment, which, after all, could be used for brewing; for the hon. Member for Derby, at the close of last Session, sent down to the House two casks of beer, one brewed from pure malt, the other from the Chancellor of the Exchequer's condiment, and the

Chancellor of the Exchequer preferred the beer brewed from his own condiment. The right hon. Gentleman shook his head. He (Colonel Barttelot) thought he remembered the right hon. Gentleman returning from tasting the beer outside; and, although the right hon. Gentleman made a curious face, he (Colonel Barttelot) understood that the right hon. Gentleman gave the preference to the brewing from his own mixture. But, whether so or not, the Bill of the right hon. Gentleman had been a dead letter and of no use to farmers. An attempt had been made to persuade the House that the farmers were the most ignorant of men, because they had not used barley for feeding cattle. But had any practical agriculturist present—the hon. Member for Whitby (Mr. Thompson), for instance, with his twenty-five years experience—ever used barley for feeding cattle. If they had not, why not? Because barley was not the best food for feeding cattle. For feeding pigs barley meal was the best food, no doubt—not so for feeding cattle. The fact was that it did not make as good manure as wheat, or anything like as good as malt; and the proof was that, after generations of experience, it was only used for the single purpose of feeding pigs. The Report from the Board of Trade had been referred to as conclusive. But that Report, to be of real value to the House, ought to have been produced three months ago. It was a hardship for hon. Members to be called on to decide on a Report just put into their hands, and before they had time to acquaint themselves with its contents. Almost at the same moment that the Report reached him, he read in *The Times* a leading article asserting that the case of the advocates for the repeal of the tax was hopeless; but on looking into the Report he saw that the gentleman who wrote the article could have known nothing whatever of farming. The Report formed no test at all except with regard to sheep. To the cows 3lb. of barley a day was given, and to the oxen 4lb.; but it was not by such small quantities that the effect of food upon animals could be seen. He had seen experiments tried with oilcake and malt. His neighbour Lord Leconfield had put up four beasts at Petworth, and had fed two on malt and two on oilcake. Those fed on malt weighed, when put up, 140 stone, and when killed 192 stone 4lb. Those fed on oilcake, when put up, weighed 168 stone, and when killed 218 stone 4lb. They were fattened for sixteen weeks, and the difference in favour of malt was two stones. If malt could thus compete with oilcake it would be the greatest boon to the agricultural interest to have it cheap. Another effect of taking off the duty would be to reduce the price of oilcake, of rape cake, and of cotton cake, and thus enable farmers to feed more stock either with their own barley malted or the cheaper article which they would then be enabled to buy. No one could look at our home supply to the London market without feeling surprised that it had increased so little. The numbers were as follows:—

	1853.		1863.
Beast	252,624	...	288,177
Sheep and lambs...	1,325,474	...	1,389,142
Calves	20,395	...	23,291
Pigs	34,677	...	53,985

From the above figures we must deduct the numbers of foreign stock offered, in order to see how far production has increased in the United Kingdom. Those numbers were—

	1853.		1863.
Beasts	52,344	...	72,907
Sheep and lambs...	220,429	...	285,296
Calves	22,619	...	26,630
Pigs	8,508	...	17,562

The increase at home was so small that it was hardly to be taken into account. The only mode to explain this was that the agricultural interest in England, in Ireland, and in parts of Scotland had been much depressed, and it might be supposed that there had not been the means of fattening the beasts in proportion to their increase. Then one word with respect to the Report which the right hon. Gentleman had supplied them with. That part relating to sheep was rather a fairer test than that of cattle, the quantity given to the cows and oxen was so small that it was no criterion. He must say that the results were not what he could wish, though he had nothing to say against Mr. Lawes, except that he believed he had some time before expressed an opinion, which was published in the Journal of the Royal Agricultural Society, that barley was better than malt. Was he then, having a foregone conclusion on the subject, quite the right man to intrust the experiments to? Mr. Lawes was also sent down to Rugby to make experiments with regard to sewage which were not likely to prove generally satisfactory, considering the mistakes that he had made. When he (Colonel Barttelot) had read the Report through and formed his own opinion, knowing the experience of Mr. Rigden as a most successful breeder of sheep in Sussex he went down to him, and his opinion was as follows:—

> "It appears to me that the quantity of both barley and malt used is excessively small. The quantity consumed by each animal is not more than four bushels in ten weeks, and bears such a small proportion to the other food that it can hardly be considered a test as to what either malt or barley would accomplish if used in larger quantities. If I were feeding a lot of beasts I should use three times as much, leaving out the cake and bean meal; I mean supposing I was doing so entirely for the purpose of testing the relative value of malt and barley for feeding purposes. The same remark would apply to the twenty oxen. The experiments with sheep seem to be a fairer test, as only barley or malt have been used in addition to clover, chaff, and roots. It appears by the Report that the gain of each sheep in live weight has been about 8lb. in a month. Some years since I fed several sheep with malt, in addition to oilcake, roots, &c., and I never obtained so much weight in a given time as I did on that occasion; some of the sheep gained upwards of 20lb. live weight in a month. It may also be worth consideration that the feeding qualities of the inferior barley has been very good during the last two years. A great deal that has not been saleable for malting would weigh 52lb. or 53lb. per bushel, which is 5lb. or 6lb. over an average for that description. I should never have thought of feeding pigs with malt. I should quite expect that they would thrive better on barley meal."

As to the remarks of the hon. Member for Whitby (Mr. Thompson), that the repeal of this tax would not benefit the occupiers of clay lands, he (Colonel Barttelot) expressed a confident opinion that if they were well drained and managed very fair barley could be grown on them. It was very seldom, too, that there were not five or six fields on a clay farm which lay higher and drier than the rest of the farm, on which barley could be grown. He did not say they would grow the best barley, but they would grow a good feeding barley. If the duty were taken off, the farmers would be able to fatten their beasts at a cheaper rate, and there would be a decrease in the price of meat. In 1853 the price of beef ranged from 2*s*. 6*d*. to 5*s*., and of mutton from 2*s*. 6*d*. to 5*s*. 4*d*. In 1863, however, the price of beef had risen, and ranged from 3*s*. 4*d*. to 5*s*. 2*d*., while the price of mutton ranged from 3*s*. 6*d*. to 6*s*. 2*d*. Only that day he had seen it stated that some sheep had been sold at from 7*s*. to 7*s*. 4*d*. per stone of eight pounds in their wool. Nothing but the good price of their stock had enabled the farmers to keep their heads above water. He was sorry not to see the hon. Member for Rochdale in his place, because he had promised him that if he raised a similar Motion to the present on free trade grounds he (Mr. Cobden) would vote for the repeal of the Malt Tax. Last year, upon his (Colonel Barttelot's) Motion on the subject of the Malt Duty, the hon. Member for Rochdale said—

> "It would be a great relief to the very poorest part of the community if the Malt Tax could be abolished. I say the very poorest part of the community, because I think the consumption of beer, probably more than of any other article, belongs to the very poorest of our labourers. I now speak of the male labourer more than of any other. I am of this opinion, because, as all of us who are acquainted with rural life must know that, if they could, the agricultural labourers of this country would all enjoy the beverage of beer; while, with their limited wages and with the general habit of agricultural labourers to be married men, I think there is very small danger of these men ever carrying the indulgence too far. But depend upon it, it would contribute very much to the contentment of that class, and to make them less dissatisfied when comparing their lot with that of the rest of the community, if, instead of being compelled to resort to the brook or the spring, they could enjoy some share of the produce of the land on which they are employed, in the shape of a glass of beer."—[3 *Hansard*, clxxiv. 1025.]

That was a strong argument put in his usual forcible way by his hon. Friend, who was in the habit of dealing openly with such questions, and if he were in his place on that occasion he should have hoped to hear a speech from him in favour of the Motion. Now a word as to the difference between tea and malt in regard to the labouring man. It was perfectly true that the duty upon tea and sugar had been reduced, but the benefit of that reduction had failed to reach the agricultural parts of the country as it should have done. In the small shops of the agricultural districts tea which might be had in towns for 3*s*. 8*d*. a lb. still cost 4*s*., and sugar which might be got elsewhere for 4*d*. a lb. cost 4½*d*. The consumption of tea by a labouring man, his wife, and six children, in agricultural districts might be taken at ¼ lb. each week, and 2lbs of sugar and the saving on both tea and sugar 1½*d*. each, was only 3*d*. a week. What did a man pay for his beer? He paid 4*d*. per pot for beer adulterated, perhaps, with *coculus indicus*, the infusion of a berry producing a stimulating and intoxicating effect on the system very much like that caused by alcohol, and serving as a cheap substitute for a portion of malt, thus getting a very bad article at a very high price. The poor man ought to be enabled to brew his own beer at 4*d*. per gallon, and small beer at even a lower sum. This would materially affect his household economy, besides supplying a better drink to his family than that miserable stuff weak tea, sugared, but without milk. He thought this would cut the ground from under the hon. Member for Carlisle (Mr. Lawson) with regard to his Permissive Bill, and would supply to a labourer a good, honest glass of beer. He begged to ask the serious consideration of the House to this question. He therefore ventured to hope the House would calmly consider this matter, and that its verdict would be in favour of a reduction with the view of a total repeal of a tax which he had shown was most unfair to the barley-growing farmer, most hurtful to the physical and moral condition of the poor man, was also a heavy tax on the general public both with regard to meat and beer. He therefore hoped in fairness to one class, for the moral welfare of another, and for the public good, that this Motion might be carried as the first step to the removal of a most unjust and oppressive tax.

Mr. MILNER GIBSON: One would suppose from the way in which the Report with regard to the experiments to test the value of malt in feeding cattle has been mentioned in the course of the debate that the experiments were undertaken voluntarily by the Board of Trade, and that the Report was volunteered by that Department. Sir, there was a Committee of this House appointed to consider the question, and they separated with the distinct understanding that during the recess experiments upon a large scale were to be undertaken by the Board of Trade, with a view to acquire some accurate information upon the subject. Well, the Board of Trade acted in accordance with the wishes of the Committee. They employed one of the most eminent agricultural chymists in the country, a man well versed in the science of farming, and who could not be supposed to have any other object whatever than to ascertain, as far as experiments could enable him, the exact truth. But I think these experiments are in their nature so complicated that we should not usefully employ our time in discussing in detail the precise methods which were employed in testing the qualities of malt as food for oxen, sheep, cows, and pigs. We must take it that we have an authority who is entitled to weight—I do not say he is infallible — and who tells us that the value of malt in feeding cattle is not what it has been supposed to be, and that a given weight of barley is more profitable as food for cattle than if given as malt. I think that this Report of Mr. Lawes is very much strengthened by the fact that preceding experiments have always ended in somewhat similar results, and, though it is stated that Mr. Lawes was engaged in some experiments in 1848 and 1849, I am not aware that he was so engaged in 1845 and 1846 when experiments were carried on by Dr. Thomas and Mr. Thompson upon the same subject. We are told that this Motion is a moderate one. We are first of all asked to vote that the duty on malt should be considered when there may be an opportunity of remitting indirect taxation. I admit that has a moderate aspect; for I presume when the Chancellor of the Exchequer is about to remit indirect taxation he takes into consideration all such taxation, with the view of seeing how he can give relief in the most just and beneficial manner to the community at large. Neither the Chancellor of the Exchequer of this or any other Administration would exclude from his consideration the claims of the landed interest or any other interest, and, therefore, I think it unnecessary to assume that this or any other duty would not be considered by a Government about to remit indirect taxation. But the Resolution goes on to say that it is to be considered "with a view to its early reduction and ultimate repeal;" that it is to be preferred to any other, and, therefore, we are asked to-night to tie the hands of this and of future Administrations, to bind them by this solemn promise that, whatever the circumstances of the country, whatever the claims of different interests when indirect taxation is to be dealt with, a deaf ear is to be turned to all others except those who ask for a repeal of the Malt Tax. We are to affirm that the Malt Tax is the worst of taxes, and that we are bit by bit to nibble at it until we arrive at its total abolition. I do not think that it is a wise proposition. I do not think, whatever may be the objections entertained by some to the Malt Tax, that it is wise or prudent to pledge Parliament that this tax shall year by year be dealt with in preference to other indirect taxes, until its total repeal is accomplished. This is a proposition altogether different from that brought forward by the right hon. Gentleman the Member for Buckingham, in 1853. He proposed, if I am not mistaken, to deal with it upon a totally different principle. He proposed to halve the Malt Tax. That was thought by many to be a very injudicious proposal, because when you halve an Excise tax you still keep on all the harassing Excise regulations, and have the same cost of collection as before. But I think I am right in saying that his idea was to halve the tax in order that, by increased consumption, a very large portion of the revenue which was at first sacrificed might be restored. The noble Lord (Lord Stanley) disapproves any proposal for the ultimate repeal of the Malt Tax, though he admits that, there being other taxes which have a prior claim, at some distant time a million or two may be taken from the tax. But this is quite a different proposal. You may call the Resolution an abstract one, but I think it is a very practical one. If it passes, Parliament cannot disregard it, and, unless rescinded, I say we pledge ourselves not to repeal any indirect taxes until we have got rid of £6,000,000 of Malt Duty. Now, what is this Malt Tax? It is a very ancient tax; it has existed a century and a half. I do not say that this shows it to be a good tax, but is it not part of a system? I have often heard it said that direct are preferable to indirect taxes. This Motion is not brought forward on such a principle, but there are many who, arguing for the abolition of all indirect taxes, say that if you are to maintain any such taxes they see no objection to a revenue derived from stimulating and intoxicating drinks. That is a very general opinion, and I find it confirmed by a very eminent authority. Mr. Stuart Mill says—

> "Among luxuries of general consumption, taxation should by preference attach itself to stimulants, because these, although in themselves as legitimate and beneficial indulgences as any others, are more likely than most others to be used in excess, so that the check to consumption naturally arising from taxation is on the whole better applied to them than to other things."

Well, we have acted on that principle in England. We have got a large revenue flowing from indirect taxation levied on stimulating drinks ,and this revenue amounts to upwards of £20,000,000. From British spirits you get £10,000,000; from colonial rum, brandy, and geneva, £2,910,000; from wine, £1,232,824; and from malt in the shape of beer, £6,000,000; amounting altogether to £20,143,649. I say, therefore, that this is part of a system. Why should beer be excepted from this system? Spirits, on which you would keep the tax, are distilled from corn. Colonial rum is a product of colonial industry. Why, then, remove the duty from beer? [An hon. Member: From malt!] Yes, and therefore from beer. As the proposition stands, I say it is to repeal the duty on beer and to make it an exception to the present system. You may talk of the vehicle in which the alcohol is contained as being very important, but I do not believe in that. The same stimulating element exists in beer as in brandy, and all other alcoholic beverages, making them objects of desire. Now, how do you propose to treat British spirits? Taking the wholesale price of corn-spirit at 1*s.* 8*d.*, the duty at 10*s.* per gallon amounts to 600 per cent. If, then, you take the duty off beer, will not the distillers say, "Are you not going to do anything for us?" Would not that be a just claim? Are not the consumers of brandy, geneva, and spirits, as much entitled to consideration as consumers of other stimulating drinks? ["No, no!"] You are going, then, to favour the competition of beer with those other beverages, and you think that just? I confess I do not think it is. Take the case of Ireland and Scotland. I have got here a Return of the number of barrels of beer per head of the population consumed in the three kingdoms. In England two bushels of malt or one barrel of beer per head are consumed, taking the population at 20,000,000; and therefore the duty paid on beer is in round numbers 5*s.* 5*d.* per individual. In Scotland the population is 3,061,329, and the consumption there is only one-third of a barrel of beer per head, the duty paid being 1*s.* 10*d.* In Ireland, with a population of 5,790,000, only one-fifth of a barrel of beer per head is consumed, and the duty paid is 1*s.* 1*d.* per head. So that you are going to relieve the population of England of a tax amounting to 5*s.* 5*d.* per head, and the population of Scotland and Ireland only to the extent of 1*s.* 10*d.* and 1*s.* 1*d.* per head. I think when that is understood by the people of the three kingdoms they will say that what you now propose is not a just remission of taxation. If you untax stimulating drinks in general use in England you ought to relieve the alcoholic beverages which are generally consumed by the population of Scotland and Ireland. If by repealing the Malt Tax you set beer free, you will be compelled to deal with whisky and spirits, and you will thus break in upon this revenue of £20,000,000 a year, which I declare I think has tended greatly to the stability of British credit and finance. My figures have been so much attacked that I am really almost afraid to quote any more, but with great respect I must say that I adhere entirely to the statement I made at Ashton, which has been so much impugned. I stated a fact, which has been confirmed by the hon. Member (Mr. Hardcastle), that the duty on beer sold retail at 4*d.* a pot was less than a halfpenny, and that this duty was nearly equal to 12½ per cent. Recollect, I used this statement in order to compare the relative taxation upon tea, sugar, and malt, because the hon. and learned Gentleman (Sir FitzRoy Kelly) had stated publicly that all he wanted was just and equal treatment as between these articles. Well, I found that taking tea at a fair average retail price of 3*s.* a pound, the duty of 1*s.* upon that amounted to 33⅓ per cent. I made the same calculation with respect to coffee and sugar; and as to those additions to the Malt Tax to which the hon. and learned Gentleman referred, as taking place in the passing of the malt and beer from one trader to another, if that is to be allowed you must also allow for the same additions in the Customs duty upon tea and upon sugar, which has been advanced by the person who first takes those articles out of bond. I submit, therefore, that my comparison was perfectly fair and reasonable, and I cannot see in what respect it was fallacious. If I take the wholesale prices of these articles I find that the difference is still very greatly in favour of the duty on beer. In the case of tea, for instance, at a shilling a pound, the duty of a shilling would amount to 100 per cent on the wholesale market price. On coffee at a wholesale market value of 5*d.* a pound a duty of 3*d.* would amount to 60 per cent, and so with other articles; but when I come to the wholesale price of beer, and put it at 36*s.* per barrel, I find that the duty amounts to only 17½ per cent. Whether, therefore, we take the wholesale or retail prices of different articles, we find that beer is much less taxed than either tea or sugar. I will put the cases very shortly in this way—for every shilling spent on tea sold retail, a man pays 4*d.* duty at least; for every shilling spent on brown sugar 2*d.* 64-100; for every shilling spent on coffee 2*d.* 28-100; while for every shilling spent on beer he pays only 1½*d.* I refer to these several articles as sold retail. That, I contend, is a fair way to estimate the pressure of these taxes on the consumer, and I cannot help thinking that public opinion would be more favourable to the claims of such articles as tea and sugar than to those of alcoholic beverages. You may talk of brewing at home, at the labourer's cottage, but what an important article to the wife and children of the labourer is tea! What an important article is sugar and those other commodities to which I have referred! It is, I may add, my firm belief that the habit of drinking tea is making way among the agricultural labourers, and I know that at this time, not only among the agricultural but the maritime population of this country engaged in the coasting trade, there is a very great extension of the consumption of tea, coffee, and such beverages, and a smaller consumption of beer and stimulating drinks. Though I do not at all profess to advocate the view of prohibiting by means of restrictions the consumption of fermented drinks, yet I do think it is a movement in the right direction when you see that there is a greater consumption of more innocent articles than used to be even among that class who get their living by the labour of their hands. I do not, however, go the length of saying that the Malt Tax has no evils. I am viewing the Malt Tax in relation to the financial necessities of the country, and the claims for remission in the case of other taxes; but I am far from maintaining that there are not evils connected with the Malt Duty, as with all other taxes. I quite admit it is undesirable that any kind of manufacture should be carried on under Excise Regulations, but taxes must be levied, and while that is the case I am afraid we must submit to evils to the extent to which I have referred. I have, I may add, been informed that no maltster now complains of the regulations which attach to the manufacture of malt. It is, I believe, true that those regulations have been so modified that it is no longer considered that the Excise system in relation to malt stands in the way of its being most cheaply and most profitably manufactured. The Customs duty of 25*s.* on foreign malt as against a duty of 21*s.* 8*d.* on home made malt is, I have no doubt, more than sufficient to cover any disadvantage which may arise from the latter being manufactured under the operation of an Excise duty. But I understand the hon. and gallant Gentleman who has just spoken to advocate the repeal of the Malt Tax on the ground that a certain amount of Customs duty was still to be levied on foreign malt. I do not think, however, that the hon. and learned Gentleman the Member for Suffolk led us to suppose that that was the meaning of his Motion; nor do I think Parliament would consent, after the repeal of the Excise duty on malt, to enact that a protective duty to the extent of some 3*s*. or 4*s*. should be levied on foreign malt. The proposition of the hon. and gallant Gentleman, as I understand it, was that after the repeal of the Malt Tax we were to deduct from the 25*s*. now levied on foreign malt only 21*s*. 8*d*., thus leaving a duty of 3*s*. 4*d*. still in operation, and that is a point which I should wish to see cleared up, because the hon. and gallant Gentleman, in thinking that such a scheme will be sanctioned by Parliament, is, in my opinion, indulging in an illusion. Whether the effect of taking away altogether the duty on foreign malt would not be to cause the importation of vast quantities of it, I am not competent to say, but the best authorities seem to be of opinion that if the duty on foreign malt were repealed we might expect a considerable addition to our supply from foreign countries. We have been repeatedly told that if we repeal the Malt Tax the labourer will brew in his cottage. If that be so I should like to know why he does not brew at home now? Why cannot he go to the maltster and buy his malt, and brew it at his own house? It is said that if there were no Malt Tax a man might brew his beer at home at a cost of 4*d*. a gallon; but I cannot help thinking with Mr. Biddle, to whom reference was made to-night, that even with the Malt Tax in existence you can buy your malt and brew it at your own house at a cost of not more than 5½*d*. a gallon. Then we are told that if you go to the brewer you have to give 1*s*. a gallon for the same quality of beer, while the charge at the public-house is 16*d*.; but is not, I would ask, the difference between 5½*d*. and 1*s*. and 16*d*. sufficient inducement to a man to brew at home? Is it the additional 1½*d*. per gallon that makes all the difference? Depend upon it there must be other reasons why brewing at home is not carried to a very great extent. There must be other causes than the operation of the Malt Tax for the extraordinary difference between the retail and the cost price of beer. The difference cannot be the result of a duty which does not amount to quite ½*d*. per quart, or ¼*d*. per pint, and do what you please with the Malt Tax it is quite evident there will always remain a considerable difference between the retail and the cost price of beer. I would now beg leave to say a few words in reference to the question of barley land, but, as I do not profess to be a practical agriculturist, I will take the liberty of quoting the high authority of a political economist, who well understood agriculture and the bearing of taxes on the agricultural interest. Dr. Adam Smith, in a passage in which he is supported by Mr. Ricardo, says—

> "The different taxes which have been imposed upon malt, beer, and ale, have never lowered the price of barley, have never reduced the rent and profit of barley land. The price of malt to the brewer has constantly risen in proportion to the taxes imposed upon it; and those taxes, together with the duties upon beer and ale, have constantly either raised the price, or, what comes to the same thing, reduced the quality of those commodities to the consumer. The final payment of those taxes has fallen constantly upon the consumer, and not upon the producer."—[*Bk*. v. chap. 2.]

If, then, the statement that the Malt Tax falls entirely on the consumer was true at the time when this passage was written, and when foreign corn and barley were subject to a high duty, there is every reason to suppose it is more true in the present day, when any increase in the prices of barley and grain must be kept in check by foreign competition. I want to understand—is this a farmer's question? How is it proposed to secure to the farmer of barley land a higher profit than to the farmer of other land? Is it possible by any scheme in Parliament to make the profit of one sort of farming higher than another? Is it not obvious, if the profit of any particular kind of agriculture were greater than the profit upon the general kind of agriculture, that competition would force down the profit, and the excess would go to the landlord in the shape of rent? You may for a short time, by the repeal of the Malt Tax, add to the demand for barley—though I doubt whether that would be the case; but, at any rate, the advantage to the farmer must be temporary, because if the profit of the barley lands increased, new tenants would in a short time come forward prepared to give higher rents for those lands, because they would be satisfied with the ordinary profits derived from the employment of capital in agriculture. Why, then, is this called a farmer's question? I should not object to support it merely on account of its being only a landlord's question; but I really do not believe it is anybody's question, except the question of my right hon. Friend the Chancellor of the Exchequer, and of the public finances of this country. I do not for a moment say that the Malt

Tax is not, like other taxes, to come under revision from time to time, and to be considered by the Financial Minister; but what I am protesting against is that we should now, before hearing the Chancellor of the Exchequer's views as to the general resources and prospects of the country, pledge ourselves by this binding Resolution never to touch any other indirect taxation until the Malt Tax should be abolished. But what is to be done with the direct taxes? Does the hon. and learned Member for East Suffolk mean to wait before he begins with his Malt Tax till the whole of the direct taxes are repealed? I should like the farmers to understand the meaning of the Motion. Is anything to be done in any period that can be assigned? I collect from some observations which fell from the hon. and learned Member, that he thinks that the income tax is condemned; and therefore I suppose that his plan is first of all to take off £4,000,000 or £5,000,000 a year of the income tax; and then to take off £6,000,000 of Malt Tax. I must say that I am not very fond of defending any tax, but really these are propositions of such a very reckless character, that I for one, if I were an independent Member and in that position to which the hon. and gallant Colonel alluded, could not give my support to a proposal which pledged me to deal so extensively with the resources of our public revenue. I think that the farmers have been somewhat deluded by this proposal. I think that the cultivators of barley lands have been, and are now, perhaps, the most prosperous of all our farm cultivators. They really have the least to complain of. If you look to the price of barley for the last few years you will find that it has been less affected by the repeal of the Corn Laws than any other of the cereals; and though I doubt extremely whether this plan of dealing with the Malt Tax will be of any relief to the barley growers, still, I contend, that of all classes connected with agriculture, those connected with the cultivation of barley are the least in want of any special boon. No case has been made out in this debate to show that the barley growers and those connected with the cultivation of the light lands on which barley grows are at this time suffering from distress so as to deserve some special legislation on their behalf. I do not think that this Motion will be adopted by the House. I cannot conceive that, with the division of opinion which appears to prevail, even among the agricultural classes, as to what would be the effect of the repeal of the Malt Tax, that this proposal will receive the united support of the whole of the agricultural party. I hope the House of Commons will not consent to bind itself by any such Resolution as this, and I am quite sure that if it does it will have to retrace its steps in some way or other as on a former period. Having regard to the liberal manner in which my right hon. Friend the Chancellor of the Exchequer has always been prepared to view the claims of all the various interests of this country, I think you may, without passing any Resolution to tie his hands, or to fetter his discretion, trust that when he deals with indirect taxation he will deal with it in a manner at once just and beneficial to all classes of the community.

Mr. HENLEY: The concluding sentence of the right hon. Gentleman's speech is so remarkably in contrast with the main part of his observations that I feel considerable difficulty in knowing how to answer him. He asked us in the first part of his speech to look at the whole of the taxation put on alcoholic drinks, and he told us that we must be tender in touching that precious edifice of £20,000,000, yet in the last part of the speech he asked the House not to pass the Resolution, but to trust to the justice of his Colleague, the Chancellor of the Exchequer, who would deal with these matters fairly and properly. But was not this precious edifice of £20,000,000 broken in upon when the Chancellor of the Exchequer dealt with foreign wines and French brandy? We did not then hear anything about this consecrated edifice of £20,000,000, yet directly any proposition is made to deal moderately with this tax on home produce and consumption, we are to be frightened by being accused of doing something to damage public credit. The right hon. Gentleman thinks the farmers have been considerably deluded on this subject. If so, they must have deluded themselves, because the movement with respect to the Malt Tax has been quite spontaneous on their part. There have been reductions of duty on very many articles in this country within the last twenty years, and the diminution in price has been followed by an enormous increase of consumption, more than recouping the amount of duty taken off. Do you suppose that the farmers have not observed this result, and can you wonder if they conclude that the same result would follow a reduction of the duty on malt? Why should not that take place with regard to malt liquors? The right hon. Gentleman has said a good deal about his 12½ per cent duty on beer. I do not like to follow Gentlemen when they go starring in the provinces, but certainly when he made those statements at Ashton I got my best spectacles and looked at the speech to see whether he illustrated the subject in the manner most natural to that audience by a reference to the old duty upon cotton. I should like to have seen that he said something of this sort—"You know that some years ago you paid a duty of an eighth of a penny a pound upon cotton. A pound of cotton makes so many yards of common calico, therefore if you take the price of calico and deduct an eighth of a penny for every such quantity, that would show what was the duty upon calico." I should like to have heard him argue that before the audience at Ashton. They would have been able to answer him—"It is all very well to delude agriculturists with that sort of reasoning, but it won't do for us north countrymen." They would have told him that at once, and he would have stood a good chance of being kicked off the hustings. Let us come to closer quarters with what the right hon. Gentleman calls alcoholic drinks. It is a large mouthful, and being rather touched in the wind I can hardly get it out. I will not deal with what he said at Ashton, because it is more appropriate to keep the comparison between these drinks. He told us last year—I hear indifferently, and I could not believe myself when I heard it, but I have seen it in print since—he repeated it at Ashton, and he repeats it now—that the duty upon beer is 12½ per cent, and the duty upon Spanish wine, meaning sherry, is 29 per cent.

MR. MILNER GIBSON: The right hon. Gentleman will find that I said it was 12½ per cent upon the retail price. If I had taken the wholesale price I should have said 15½ or 16 per cent. I gave the prices, and said such beer as was sold at 4*d*. per quart.

MR. HENLEY: The right hon. Gentleman certainly spoke of the retail price of beer, because he went through a beautiful calculation giving the number of quarts and gallons, and told us that two bushels of malt would produce thirty-six gallons of beer, and that the duty would be 12½ per cent. I thought that he had worked out the figures for himself, but he has told us to-night that he derived them from the hon. Member for Bury St. Edmunds. If the figures which he gave were worked out, it would come, not to 12½, but to 11 and something per cent. As it is very mystifying to compare wholesale and retail prices, let us take the retail in both instances. We all know what a pot of porter costs—4*d*. And we all know what a glass of sherry costs—6*d*. My hon. and learned friend the Member for East Suffolk has worked it from the top downwards. I intend to work it from the bottom upwards, and we come to just about the same conclusion. A glass of sherry, as I tell you costs 6*d*. ["No, no!" and "Hear, hear!"] You may get a glass at public-houses for 4*d*., but at the bar of the coffee-room of this House you may get a very good glass of sherry for 6*d*, and that is the common price. If you measure you will find that there are as nearly as possible seven of these glasses in a pint ["Oh, oh!"]—in an imperial pint, in the eighth part of a gallon. That is 28*s*. for a gallon of sherry. The duty upon that is 2*s*., and dividing it among the fifty-six glasses, it amounts to 7 1·7 per cent. That is how he mystifies us, you see. Now we will go to gin, which is the next in order, and about which, before coming to the calculations, I will say a word. I have always heard it laid down by every one whose opinion is worth following that from spirits you have a right to get as much revenue as you can, provided you keep out the smuggler. Gin is sold at the public-houses for 5*d*. a quartern; if you want the very best you must pay 6*d*. There are four quarterns in a pint, and therefore thirty-two in a gallon. That at 5*d*. a quartern makes 160 pence. The duty is 10*s*. or 120*d*.; and that is a duty of 75 per cent upon spirits as sold at the public-house. That is assuming that people drink spirits at proof; but they do no such thing. The publicans are humane enough, they have sufficient consideration for people's interiors, by a well known process, to lower it a certain degree and make it less prejudicial than it would otherwise be. Taking the formula of the right hon. Gentleman, that two bushels of malt brew thirty six gallons of beer, and working that out at a duty of 2*s*. 8½*d*. a bushel, that would give something over 11 per cent instead of 12½. There are Gentlemen in this House connected with railways who know that you never get so true a level as when you try it backwards and forwards. Try it backwards and forwards, and you are pretty sure to get a level. The right hon. Gentleman has told us that the duty upon wine at the wholesale price is 29 per cent, and I have shown you by the demonstration of the glass of sherry that on the retail price it comes down to 7 per cent, or a little better. Try the duty upon malt or on the beer produced from malt in the same way by a rule-of-three sum :—If a duty of 7 per cent upon the retail price of wine amount to 29 per cent upon the wholesale price, what will a duty of 11 per cent upon the retail price of beer give as the duty upon the wholesale price ?—and you will find that it comes to about 45 per cent. Of course that 45 per cent takes in hops and other things ; but my hon. and learned Friend proved by working downwards that the duty upon malt, taken as it is at 70 per cent at starting, even including the hops and other things, amounted to more than 30 per cent upon the beer as it goes down people's throats. I have never before, in these days of free trade, heard such a proposition as is laid down by the Treasury Bench, that you are to stamp a tax upon a raw material, and that it is to go through ll the bother and worry of the Excise, and all the expense of manufacture, and then by some extraordinary process, the duty will come out almost as nothing. I cannot understand this sort of process. If that reasoning be sound, you might say that taxes upon raw materials are of no consequence at all. We have been going on for the last twenty years being enlightened, and I believe everyone benefiting by the abolition of these taxes upon raw materials ; and when we are told that a raw material taxed to the extent of 70 per cent is to go through the process of manufacture, and that when the manufactured article comes into the consumers' hands the duty will be only 11 or 12 per cent, that seems to me to be a monstrous proposition. I have tried it by the only way that I could—by the comparison of a glass of sherry and a glass of beer ; and I believe that I have demonstrated, as my hon. and learned Friend proved, starting from another point, that the tax upon the consumer amounts to at least 30 per cent. I have looked upon this as a consumers' question, and no other. When you are dealing with so great a question as what may be the increase of the price of a particular article, having an almost unlimited field for the supply of the raw material, I do not mean to say that Gentlemen who take other views may not be right, but I have never seen any reason which proves to me that they are. It is a consumer's question—it is a farmer's question, because all the farmers, be they upon grass land, upon clay land, or barley land, are all, and must be, great consumers. It is eminently a labourer's question, because if beer is cheapened, in my humble opinion, there will be less intoxication. I have as strong a conviction of that as I can have of anything; because poor people who can now but rarely get beer, will not be so likely to think of indulgence when they can get their glass of it daily. An hon. Member talked of what a man with 100 acres of land would gain from the remission of the duty; but, I think, if the farmer were to attempt to get in his harvest with so small a consumption of beer as the hon. Gentleman seemed to calculate upon, he would find out the truth of the old proverb that, in these matters, " A wet groat goes farther than a dry shilling." In farming operations you cannot light the gas lamp, but must make hay, as the saying is, when the sun shines; and you cannot get your men to work long in the sunshine without something to help them to push on. Good, wholesome beer, I believe, is what they really want, more than anything else. I have, besides, always been of opinion that since you have reduced the duty on wine for the upper and middle classes, since you have reduced the duty on brandy, the spirit drunk by the rich, the poor man has a claim to have the duty on his beer reduced. I have never asked for, nor do I mean by voting for this Resolution to express any opinion upon its total repeal. I know that it talks of ultimate repeal, which is a very vague term ; but I believe there is a very strong claim in justice on the part of the beer-consuming class of the people of this country to have a reduction in the price of their drink, as the upper class have had a reduction in the price of theirs. The right hon. Gentleman touched towards the end of his speech on the difficulty there would be in regulating the import duty on malt. Well, he looked far ahead. The only answer I can give him to that is that if he will tell me how much his neighbour will take off, I will tell him at once what my opinion is about the import duty. But it is quite time enough to ask me what I think about the amount of the import duty when I know what you are going to take off the home duty. That I think is fair. I am not one of those who would wish—I believe it would be quite unreasonable—to keep any duty on foreign malt beyond the corresponding duty put on in this country. Now, with regard to a comparison between different duties, you know that in the case of malt a man pays the duty very often a twelvemonth before he can get his money back, whereas, with wine, he has it in bond, I believe he bottles it in bond, and does not pay the duty long before it is drunk. [Here an Hon. Member handed the right hon. Gentleman, who was suffering from hoarseness, a glass of water, of which he partook and proceeded.] Thank God, Sir, there is no tax upon water. We feel that you have relieved all other persons who drink, but you refuse any relief to those who drink beer. Now, I was very sorry to hear what was repeated last year, and an endeavour made to sow discord between England, Ireland, and Scotland. I do not think that is worthy of a Government. The tax upon spirits has always been maintained at a rate at which you can keep out the smuggler. You would have the Irish and Scotch Members say, "It would be as fair for us to be free from a tax on spirits as for the agricultural labourers to get rid of the duty on malt." But labourers might say in return, "Well, the cider counties pay nothing, and we do not raise any objection." We do not, however, say that, because we stand upon the justice of our own case. We believe there are many persons—myself among the number—who would be very glad to get rid of all taxes; but I know that the revenue must be kept up. Still that is no reason why it should be kept up in one direction alone. I ask for a moderate reduction, and if half the malt tax were taken off to-morrow, and especially if you took it off from October instead of from the present moment, of course in the latter case you would be relieved from a great deal of drawback, and I believe you would in two years not recoup the whole amount but probably all of it within a million. That has been the case with every other tax you have touched; why should it not be the case with this? No man will pretend that the labouring people of this country get anything like the quantity of beer they would drink, well and reasonable drink, in their families without anything like intoxication, if they could afford to pay it. And if you reduce the price, I believe it is a thing they all like so much—a thing so much used and liked by all classes in life—that you would get the bulk of your revenue back again. I thank the House for listening to me. I believe the claim urged by my hon. and learned Friend is founded on justice—I believe that we ought to have a remission of this tax, and if the prosperity of the country should go on increasing as it has done, so that we can get a greater and greater reduction on all other things, then in process of time we may come to what the Resolution indicates as the ultimate repeal of this impost. I do not expect myself to live to see that; and therefore I only go for that which is within my own hopes, and that is to get rid of a good portion of it.

Mr. NEATE said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Original Question again proposed.

Mr. HARDCASTLE said, he would now move the Previous Question.

Whereupon *Previous Question* put, "That that Question be now put."—(*Mr. Hardcastle.*)

The House *divided*:—Ayes 171; Noes 251: Majority 80.

AYES.

Adderley, rt. hon. C. B.
Adeane, H. J.
Anson, hon. Major
Bailey, C.
Baring, A. H.
Barrow, W. H.
Barttelot, Colonel
Bass, M. T.
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M.
Beach, W.W. B.
Bective, Earl of
Bentinck, G. W. P.
Bentinck, G. C.
Benyon, R.
Beresford, rt. hon. W.
Beresford, D. W. P.
Bovill, W.
Bowyer, Sir G.
Bramley-Moore, J.
Bramston, T. W.
Bremridge, R.
Bridges, Sir B. W.
Brooks, R.
Bromley, W. D.
Bruce, Major C.
Bruen, H.
Burghley, Lord
Burrell, Sir P.
Cartwright, Colonel
Cave, S.
Cecil, Lord R.
Cholmeley, Sir M. J.
Clive, Capt. hon. G. W.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Courtenay, Lord
Cubitt, G.
Curzon, Viscount
Dering, Sir E. C.
Disraeli, rt. hon. B.
Dodson, J. G.
Douglas, Sir C.
Du Cane, C.
Duncombe, hon. A.
Duncombe, hon. W. E.
Du Pre, C. G.
Dutton, hon. R. H.
Elphinstone, Sir J. D.
Fane, Colonel J. W.
Farquhar, Sir M.
Fellowes, E.
Filmer, Sir E.
Fitzroy, Lord F. J.
Fleming, T. W.
Floyer, J.
Forester, rt. hon. G.
Foster, W. O.
Gard, R. S.
Gaskell, J. M.
George, J.
Gilpin, Colonel
Goddard, A. L.
Gore, J. R. O.
Graham, Lord W.
Greene, J.
Grey de Wilton, Visct.
Griffith, C. D.
Gurdon, B

Hamilton, Lord C.
Hamilton, Viscount
Hamilton, I. T.
Hartopp, E. B.
Harvey, R. B.
Hervey, Lord A. H. C.
Henley, rt. hon. J. W.
Hennessy, J. P.
Henniker, Lord
Hesketh, Sir T. G.
Hill, hon. R. C.
Holford, R. S.
Holmesdale, Viscount
Hornby, W. H.
Hotham, Lord
Howes, E.
Humphery, W. H.
Hunt, G. W.
Ingestre, Viscount
Jervis, Captain
Jolliffe, rt.h. Sir W.G.H.
Jolliffe, H. H.
Kendall, N.
King, J. K.
Knatchbull, W. F.
Knight, F. W.
Knightley, Sir R.
Langton, W. G.
Lennox, Lord G. G.
Lennox, C. S. B. H. K.
Liddell, hon. H. G.
Long, R. P.
Lowther, hon. Colonel
Lyall, G.
Lygon, hon. F.
Lytton, rt. hon. Sir G. E. L. B.
MacEvoy, E.
Malcolm, J. W.
Malins, R.
Manners, rt. hn. Lord J.
Manners, Lord G. J.
Miles, Sir W.
Miller, T. J.
Mitford, W. T.
Montagu, Lord R.
Mordaunt, Sir C.
Morgan, hon. Major
Mundy, W.
Newdegate, C. N.
Newport, Viscount
Noel, hon. G. J.
North, Colonel
Packe, C. W.
Packe, Colonel
Pakington, rt.hn. Sir J.
Papillon, P. O.
Parker, Major W.
Patten, Colonel W.
Peacocke, G. M. W.
Peel, rt. hon. Gen.
Peel, J.
Pevensey, Viscount
Phillips, G. L.
Pollard-Urquhart, W.
Portman, hon. W. H. B.
Powys-Lybbe, P. L.
Price, R. G.
Pugh, D.
Ridley, Sir M. W.
Rolt, J.
Rose, W. A.
Russell, H.
Sclater-Booth, G.
Selwyn, C. J.
Shirley, E. P.
Sidney, T.
Smith, A.
Smith, S. G.
Smyth, Colonel
Somerset, Colonel
Stanhope, J. B.
Stanhope, Lord
Stracey, Sir H.
Stuart, Lieut.-Col. W.
Sturt, H. G.
Surtees, H. E.
Taylor, Colonel
Thynne, Lord H.
Tomline, G.
Trefusis, hon. C. H. R.
Treherne, M.
Trollope, rt. hon. Sir J.
Vansittart, W.
Vyse, Colonel H.
Walcott, Admiral
Watlington, J. W. P.
Welby, W. E.
Whiteside, rt. hon. J.
Whitmore, H.
Willoughby, Sir H.
Wyndham, hon. H.

TELLERS.

Kelly, Sir F.
Morritt, W. J. S.

NOES.

Adair, H. E.
Adam, W. P.
Agnew, Sir A.
Andover, Viscount
Angerstein, W.
Anstruther, Sir R.
Antrobus, E.
Astell, J. H.
Ayrton, A. S.
Aytoun, R. S.
Baines, E.
Baring, rt.hon. Sir F.T.
Baring, T. G.
Barnes, T.
Baxter, W. E.
Bazley, T.
Beamish, F. B.
Beaumont, S. A.
Beecroft, G. S.
Bellew, R. M.
Berkeley, hon. H. F.
Black, A.
Blake, J. A.
Blencowe, J. G.
Bonham-Carter, J.
Bouverie, hon. P. P.
Brady, J.
Bright, J.
Briscoe, J. I.
Bruce, Lord E.
Bruce, rt. hon. H. A.
Buchanan, W.
Buckley, General
Buller, Sir A. W.
Bury, Viscount
Butler, C. S.
Caird, J.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Castlerosse, Viscount
Cavendish, Lord G.
Chapman, J.
Cheetham, J.
Childers, H. C. E.
Churchill, Lord A. S.
Clay, J.
Clifford, C. C.
Clifford, Colonel
Clifton, Sir R. J.
Clive, G.
Coke, hon. Colonel
Colebrooke, Sir T. E.
Collier, Sir R. P.
Cowper, rt. hon. W. F.
Cox, W.
Craufurd, E. H. J.
Crawford, R. W.
Crossley, Sir F.
Dalglish, R.
Davey, R.
Davie, Sir H. R. F.
Dawson, R. P.
Denman, hon. G.
Dent, J. D.
Dillwyn, L. L.
Duff, M. E. G.
Duff, R. W.
Duke, Sir J.
Dunbar, Sir W.
Dundas, F.
Dundas, rt. hon. Sir D.
Dunlop, A. M.
Egerton, Sir P. G.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, hon. W.
Elcho, Lord
Enfield, Viscount
Ewart, W.
Ewart, J. C.
Ewing, H. E. Crum-
Farrer, J.
Fenwick, E. M.
Fenwick, H.
Fitzwilliam, hn. C.W.W.
Foljambe, F. J. S.
Forster, C.
Forster, W. E.
Fortescue, hon. F. D.
Fortescue, rt. hon. C.
Gallwey, Sir W. P.
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hon. W.
Glyn, G. G.
Goldsmid, Sir F. H.
Goschen, G. J.
Gower, hon. F. L.
Greenwood, J.
Grenfell, H. R.
Grey, rt. hon. Sir G.
Gurney, S.
Hadfield, G.
Hanbury, R.
Handley, J.
Hankey, T.
Hanmer, Sir J.
Hardcastle, J. A.
Hartington, Marquess of
Hervey, Lord A.
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Hibbert, J. T.
Hodgkinson, G.
Hodgson, R.
Holland, E.
Hood, Sir A. A.
Horsfall, T. B.
Howard, hon. C. W. G.
Hubbard, J. G.
Humberston, P. S.
Hutt, rt. hon. W.
Ingham, R.
Jackson, W.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kekewich, S. T.
Kinglake, A. W.
Kingscote, Colonel
Kinnaird, hon. A. F.
Lacon, Sir E.
Layard, A. H.
Lawson, W.
Leader, N. P.
Leatham, E. A.
Lefevre, G. J. S.
Lefroy, A.
Legh, Major C.
Legh, W. J.
Lennox, Lord H. G.
Leslie, C. P.
Leslie, W.
Lewis, H.
Locke, J.
Longfield, R.
Lowe, rt. hon. R.
Mackie, J.
Mackinnon, W. A. (Lymington.)
Mackinnon, W. A. (Rye)
Marjoribanks, D. C.
Martin, J.
Merry, J.
Mills, J. R.
Mitchell, T. A.
Moffatt, G.
Moncreiff, rt. hon. J.
Montgomery, Sir G.
Moor, H.
Morris, W.
Morrison, W.
Murphy, N. D.
Neate, C.
Norris, J. T.
North, F.
O'Brien, Sir P.
Ogilvy, Sir J.
Onslow, G.
O'Reilly, M. W.
Owen, Sir H. O.
Padmore, R.
Paget, C.
Paget, Lord A.
Paget, Lord C.
Palmer, Sir R.
Palmerston, Viscount
Pease, H.
Peel, rt. hon. Sir R.
Peel, rt. hon. F.
Peto, Sir S. M.

Pilkington, J.
Pinney, Colonel
Potter, E.
Powell, F. S.
Pryse, E. L.
Pritchard, J.
Proby, Lord
Ramsden, Sir J. W.
Repton, G. W. J.
Ricardo, O.
Robartes, T. J. A.
Robertson, H.
Rothschild, Baron M. de
Russell, A.
Russell, F. W.
Russell Sir W.
St. Aubyn, J.
Schneider, H. W.
Scholefield, W.
Scott, Sir W.
Scrope, G. P.
Seely, C.
Seymour, H. D.
Seymour, W. D.
Seymour, A.
Shafto, R. D.
Shelley, Sir J. V.
Smith, A.
Smith, J. A.
Smith, J. B.
Smith, M. T.
Smollett, P. B.
Staniland, M.
Stanley, hon. W. O.
Stansfeld, J.
Steel, J.
Stuart, Colonel C.
Sturt, Lt.-Colonel N.
Sykes, Colonel W. H.
Taylor, P. A.
Thompson, H. S.
Tite, W.
Tollemache, hon. F. J.
Tollemache, J.
Tracy, hon. C. R. D. H.
Turner, J. A.
Tynte, Colonel K.
Verney, Sir H.
Vernon, H. F.
Villiers, rt. hon. C. P.
Vyner, R. A.
Waldegrave-Leslie, hon. G.
Walter, J.
Warner, E.
Waterhouse, S.
Watkin, E. W.
Watkins, Colonel L.
Weguelin, T. M.
Westhead, J. P. Brown
Whitbread, S.
White, J.
White ,hon. L.
Wickham, H. W.
Winnington, Sir T. E.
Wood, rt. hon. Sir C.
Woods, H.
Wynn, C. W. W.
Wynne, W. W. E.
Wyvill, M.
Yorke, J. R.

TELLERS.

Brand, hon. H. B. W.
Knatchbull, Lt.-Colonel W. F.

MUNICIPAL CORPORATIONS (IRELAND) ACT AMENDMENT BILL.

LEAVE. FIRST READING. [BILL 54.]

Mr. **BLAKE** moved for leave to bring in a Bill to amend the Act for the Regulation of Municipal Corporations in Ireland, 3 & 4 *Vict.* c. 108.

Sir **ROBERT PEEL** said, that Government would offer no opposition to the introduction of the Bill provided it was not proceeded with until after the Bill of the hon. Member for Limerick had been introduced.

Motion *agreed to.*

Bill to amend the Act third and fourth Victoria, chapter one hundred and eight, for the regulation of Municipal Corporations in Ireland, *ordered* to be brought in by Mr. Blake and Mr. M'Mahon.

Bill *presented,* and read 1°. [Bill 54.]

PUBLIC OFFICES (SITE AND APPROACHES) BILL.

LEAVE. FIRST READING. [BILL 55.]

Mr. **COWPER** moved for leave to bring in a Bill to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire additional lands for improving the site of the new public offices in Dowinng Street, and the approaches thereto.

Motion made, and Question proposed,

> "That leave be given to bring in a Bill to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire additional Lands for improving the Site of the New Public Offices in Downing Street, and the Approaches thereto."—(*Mr. Cowper.*)

Mr. **BAILLIE COCHRANE** strongly urged the policy of purchasing the houses between the new Foreign Office and Great George Street. It would turn out the best economy in the end; and if, three years ago—as he had suggested—the purchase of this block of houses had been carried into effect there would have been a great saving of public money.

Sir **JOHN SHELLEY** thought that the proposal of one scheme with regard to all the proposed buildings would be best, instead of proceeding piecemeal.

Mr. **VANSITTART** asked what amount would be charged on the revenues of India for the proposal for improving the site of the new India House. He should like to know what addition to the £50,000 already voted would be made.

Lord **CLAUD HAMILTON** should first like to know what the English and Irish taxpayers would have to pay for these public buildings. The present Government seemed to ignore economy altogether, and quite to disregard the expenditure of public money.

Sir **CHARLES WOOD** did not think any charge would ultimately be thrown on the revenues of either of this country or of India by the proposed arrangement. The House had formerly rejected the scheme of Lord Llanover, to purchase all the buildings between Downing Street and Great George Street, and the Government now proposed to take only the amount of property which was absolutely necessary for the erection of the buildings. The Government believed they would make a very good bargain by purchasing the freehold under the Bill, as it would give them ground not only for public offices, but also for the erection of a better class of houses in the neighbourhood of those offices. The Government were only doing what was being done by the Marquess of Westminster, and there was no fear of their losing money by the purchase, as they would be able to let the property which they did not require for themselves.

Sir HENRY WILLOUGHBY regretted the increase of cost to the country which was likely to be entailed upon them, and he should like to have a distinct pledge from the Commissioner of Works that this particular scheme would not be a charge upon the public purse, though he should very much doubt the propriety of spending public money in a building scheme.

Mr. HENNESSY thought that the Irish Members had an interest in this matter. Money had been refused for improvements in Ireland, which they had been told ought to be effected by private enterprize, but now the Government were about to speculate in the building of houses.

Mr. KINNAIRD hoped that the Government did not hold that the houses occupied by honest poor persons were not respectable houses. He also hoped the interests of the humbler classes would be considered by the Government.

Mr. DILLWYN looked with some suspicion on the proposal. He had visions before him of a clearance of all the houses between the Palace of Westminster and the Foreign Office, and of the erection of a grand and ornamental building on the site where those houses now stand; and he apprehended that all this would be accomplished at a heavy cost to the country.

Mr. SCLATER-BOOTH thought that Government was going to undertake the business of a building society; and as to private landowners, they waited until the leases fell in and the houses could be advantageously acquired before they pulled them down. The speculation of the Government might turn out to be profitable, but it was certainly quite novel.

Mr. BRADY complained that the works in reference to the Shannon had not been completed effectually, although so long a time had elapsed; and asserted that if London improvements were to be carried out by the Government at once, he thought that equal justice would not be dealt out.

Mr. WATKIN complained of the course taken by the Government in bringing on this Bill without having laid any plan before the House or having asked the House to sanction the expenditure.

Mr. PEASE demurred altogether to the proposal of the Government to buy land on a building speculation.

Sir Charles Wood

Mr. COWPER said, there were two ways in which property could be purchased for these public offices. One was that proposed by Lord Llanover for buying all that could be ultimately wanted. The House, however, was unwilling to spend a large sum of money for remote and uncertain needs, and the other plan was adopted of asking the House to vote such sums of money as were wanted for immediate use. The purchase which he now proposed had been contemplated from the beginning, and the next purchase contemplated was that of the block of buildings between Parliament Street and King Street, that would be immediately in front of the eastern elevation of the new offices. There was less urgency for taking the latter property, inasmuch as the greater part of the fee simple of those houses was in possession of the Government, and the leaseholds did not increase in value as the freeholds. What was now proposed was to purchase the property on the south side of the Downing Street site; on which adequate offices for the public service for some time to come could be built. When the Foreign Office was completed the erection of the Colonial Office would be commenced, and further offices would afterwards be provided. But there was no necessity for forcing on an expenditure before the time came when such expenditure was necessary. The northern boundary of the new offices would be Downing Street, on the west would be the Park, and on the east Parliament Street, when the block of houses was pulled down; but if this property were not purchased the southern boundary would be a narrow street of squalid, low houses, and the effect of the buildings on that side would be totally spoiled. It was therefore necessary that that street should be widened. The surplus portion of land between Charles Street and Gardner's Lane, which would not be wanted for this improvement, could be sold with advantage, and the Indian Department would only follow the usual course in selling the land which was not required for their purposes. The portion which was opposite to the other public offices comprehended the police station, and he did not propose to purchase that or to dispossess its present occupiers. The actual cost that would fall upon the country would be about £30,000, and an Estimate would be laid before the House in due course, but it was necessary, in order to save the Session, that this Bill should be introduced before the time at which the Estimate could be laid before the House. The Bill could hardly pass into law before the Estimate was before them, and the two would proceed simultaneously. Plans would be laid before the Committee. The houses in Charles Street were shops and public-houses, and in Gardner's Lane they were dwellings of the working classes. He thought the best arrangement would be to enable the police station to get the benefit of enlargement; no class required better accommodation more than policemen, who were obliged to live in the district, and at present were compelled to put up with very bad accommodation for themselves and families. Perhaps there could be no better use of the extra ground than a building six storeys high, which would afford accommodation for police who rent apartments in the district. Of course, the Government would not become owners of these residences; but such ground as was not required would be disposed of, and care would be taken to see that it should be used in a manner suitable to the wants of the district. The proposal of the Government was not open to the charge of extravagance, as the Government only intended to ask the House to vote money for necessary purposes.

Mr. LYGON thought the right hon. Gentleman had not given information that was relevant to the question. He had not told them from what funds he expected to derive the £30,000 that would be required. [Mr. Cowper: To be voted by Parliament.] He submitted that in that case the rules of the House came into play. It concerned a grant of money, and therefore involved a charge upon the public. In a book, which was a high authority upon that subject—*May's Law and Practice of Parliament*—he found it laid down that where funds were required to purchase land it must be voted in Committee. The propriety of that rule was obvious, because in Committee there was a full opportunity of obtaining explanations; but while the Speaker was in the chair a Member could only speak once. He would submit to the Speaker as a point of Order that this was a Bill that should be originated in Committee, and should the right hon. Gentleman's ruling be against him, he should divide the House against the Motion for leave to bring in the Bill.

Viscount PALMERSTON thought the course that had been followed on this occasion was the usual course. The Bill only proposed to give the Government power to buy land, but for that power to be of any use an estimate and plans must be submitted and voted in Committee, when the hon. Gentleman would have the opportunity of speaking as often as he pleased.

Mr. WHITESIDE understood that what was wanted was to learn from the noble Viscount something which, with his usual happy knack of explaining, he had left unexplained. What was required from the noble Viscount was an explanation whether it was intended to purchase with public money certain land for indefinite purposes. The noble Viscount said this was the usual course, but still he left the House in complete darkness as to the intentions of the Government. The work which had been referred to laid it down that when a grant of public money would be required the invariable practice was that a Resolution in Committee must be the origin of the proceeding. If it was intended to purchase land without any grant of public money, then there was nothing to be said upon the occasion, but it did not appear that we had yet arrived at that happy state of things when public works could be effected without the aid of public money.

Sir GEORGE GREY said, the rule referred to was quite correct. This Bill would not enable the Government to purchase a yard of land until the House in Committee had considered the plans and estimates, and had agreed to them.

Mr. PACKE moved the adjournment of the Debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Packe.*)

Viscount PALMERSTON said, the natural course would be to allow the Bill to be brought in. At present they were discussing a Bill they had not seen. The hon. Member (Mr. Hennessy) forgot his national proverb—namely, "You should not name a child until it is born."

Mr. PACKE: We have the explanation of the right hon. Gentleman.

Viscount PALMERSTON said, that when the Bill was brought on, if it could be shown that it was informal, and that it ought to have originated in Committee, it could then be withdrawn and the proper course pursued.

Mr. HENNESSY remarked that there was a precedent in the Fortifications Bill introduced a few years ago by the noble Viscount, upon the understanding that estimates and plans would be afterwards submitted. The estimate was subsequently prepared, and the sums required voted in Committee of Supply, but the Bill itself which bound the House to the purchase of lands was brought in in Committee of the whole House.

Mr. COWPER said, the Bill before the House was of exactly the same character as five or six Acts which were upon the statute-books, all of which had been introduced in the same manner, and which, indeed, could not, by the rules of the House, have been introduced in any other way.

Lord CLAUD HAMILTON said, he wished to know whether the Bill would place the House in the position of house and land jobbers. According to the statements of the right hon. Gentleman (Mr. Cowper) it was proposed to lodge police in the place of poor people who now lived in a set of squalid buildings, and the right hon. Gentleman had stated that he was only following the example of the Marquess of Westminster, who, it should be remembered, however, had dealt most liberally with the poor people who were deprived of their habitations; his Lordship having taken care that they should be provided with cheap and better accommodation.

Sir CHARLES WOOD repudiated the idea of any attack having been made upon the Marquess of Westminster, who, in the improvement of his property, had acted like a man of common sense. The mode which the Government proposed to adopt was one which had been uniformly followed. Streets were to be widened, and ground was to be sold for the purpose of contributing towards the expenses. The only object of the Bill was to obtain power to take the property that was necessary.

Sir WILLIAM JOLLIFFE said, that they now heard for the first time that the Bill did not involve an expenditure of money, but merely gave the Government the power of acquiring land.

Sir GEORGE GREY said, that the statement of the Government was not that no expenditure of money was contemplated, but that the Bill did not authorize the expenditure of any public money.

Mr. LYGON referred to the proposal for authorizing the Government to purchase lands and buildings in South Kensington, which was introduced in a Committee of the Whole House—a plan which should have been followed in this instance, because, he maintained, that the Bill would practically authorize the expenditure of public money.

Mr. SPEAKER said, that the object of the Bill was to enable the Government to take ground for certain purposes. It did not give them power to purchase the property; the funds for that purpose should be voted afterwards in Committee of the Whole House. There was, therefore, no question of Order.

Motion, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill *ordered* to be brought in by Mr. Cowper and Sir Charles Wood.

Bill *presented,* and referred to the Examiners of Petitions for Private Bills. [Bill 55.]

UNION OFFICERS (IRELAND) SUPERANNUATION BILL.

On Motion of Sir Robert Peel, Bill to provide for Superannuation Allowances of Officers of Unions in Ireland, *ordered* to be brought in by Sir Robert Peel, and Mr. Villiers.

Bill *presented,* and read 1°. [Bill 53.]

LOCAL GOVERNMENT SUPPLEMENTAL BILL.

On Motion of Mr. Baring, Bill to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Bradford, Bridlington, Brighouse, Burnley, Henley, Sheffield, Shipley, Wallingford, Llangollen, Ormskirk, Swansea, Tormoham, and Lockwood, *ordered* to be brought in by Mr. Baring and Sir George Grey.

Bill *presented,* and read 1°. [Bill 58.]

INDIA OFFICE (SITE AND APPROACHES) BILL.

On Motion of Mr. Cowper, Bill to enable the Secretary of State in Council of India to acquire additional Lands for improving the Site of the India Office, and the Approaches thereto, *ordered* to be brought in by Mr. Cowper and Sir Charles Wood.

Bill *presented,* and read 1°. [Bill 56.]

SHEEP AND CATTLE BILL.

On Motion of Mr. Henry Fenwick, Bill to render owners of Dogs in England and Wales liable for injuries to Cattle and Sheep, *ordered* to be brought in by Mr. Henry Fenwick, Mr. Shafto, and Sir Hedworth Williamson.

Bill *presented,* and read 1°. [Bill 57.]

House adjourned at half after One o'clock.

HOUSE OF COMMONS,

Wednesday, March 8, 1865.

MINUTES.] — Select Committee — On Valuation of Lands and Heritages (Scotland) *nominated* (see p 1364.)

Public Bills—*Ordered*—County Voters Registration*; Married Women's Property (Ireland)*; Perth Provisional Order Confirmation.*

First Reading — County Voters Registration [59]; Married Women's Property (Ireland)* [60]; Perth Provisional Order Confirmation* [61].

Second Reading — River Waters Protection [3], and *withdrawn;* Sewage Utilization [4]; Affirmations (Scotland)* [40]; Prisons [15].

Referred to Select Committee — Sewage Utilization* [4]; Prisons [15].*

Committee—Private Bill Costs (*re-com.*)* [7].

Report—Private Bill Costs* [7].

Withdrawn—River Waters Protection [3].

RIVER WATERS PROTECTION BILL.

[BILL 3.] SECOND READING.

Order for Second Reading read.

Lord ROBERT MONTAGU, in moving the second reading of this Bill, said, that the Nuisance Removal Act was directed against infection of the air, the present Bill concerned itself with the contamination of waters. The former Act dealt with stagnant pollutions; this Bill had to do with nuisances which flowed down from one place to the injury of other places. No one in the present day would deny the enormity and urgency of the evil with which the measure sought to grapple. Ten years ago the Committee on the Nuisance Removal Bill had inquired into the subject, and had ascertained that our rivers had become absolutely pestilential, and were, in fact, nothing but main sewers, and had urged the Government to take steps for the removal of such disastrous influences. The Sewage Commission, which reported in 1861, mentioned by name upwards of 100 rivers which they affirmed to be in an absolutely poisonous condition. The Fishery Commission gave a catalogue of as many more rivers which were as bad. The Committee appointed last year not only confirmed this statement, but supported it by details of a still more revolting and nauseous character. It was now beyond a doubt that we made the water diffuse an evil which the earth alone would remove. Upon last year's Committee Members both of the late and present Government had sat — Gentlemen who for years had given their most earnest attention to the subject. Yet the Committee had been unanimous in the recommendations put forward at the close of this inquiry. This was a strong *primâ facie* case. A number of boroughs, among them Nottingham, Sheffield, Birmingham, Manchester, Preston, Coventry, Derby, Wolverhampton, Bath, Huddersfield, York, Stockport, Cheltenham, and Oxford, had memorialized and urged the Government to carry out the recommendations of the Committee. The Nottingham memorial had, in fact, actually sketched out the very plan which had been adopted in the Bill. This made the *primâ facie* case still stronger. After such strong recommendations it was impossible that the Secretary of State for the Home Department could continue to sit much longer with folded arms, as he had done for the last ten years. Seventy large landowners —among them fifty Peers—and the Conservators of seven fishery associations had put forth similar views; so that a very strong *primâ facie* case had already been made out for the Bill. He did not, however, desire to press its adoption in the present Session; all he asked was that it should be read a second time and referred to a Select Committee. All he sought was that the objections which might be urged against it should be stated and defined and sifted, with a view to their being met and removed before the Bill should be submitted to a new Parliament. He cheerfully confessed that there might be many imperfections; he allowed that there were serious shortcomings in the Bill. Yet he had worked hard and had done his best. He was not, therefore, asking too much of the House. All he desired was that they should discuss it in a friendly, and not a carping spirit; that they should labour together to improve, and not overthrow the Bill. Lords Ebury, Shaftesbury, and Llanover, representing the Sanitary Association and Fisheries Preservation Associations, had addressed a letter last March to the First Lord of the Treasury, in which they stated—

> "That the increasing pollutions of the rivers and streams of the country is an evil of national importance, which urgently demands the application of remedial measures; that the discharge of sewage and of the noxious refuse of factories into them is a source of nuisance and danger to health; that it acts injuriously not only on the locality where it occurs, but also on the population of the districts through which the polluted rivers flow; that it poisons the water, which in many cases forms the sole supply of the population for all purposes, including drinking; that it destroys the fish, and generally that it impairs the value and

the natural advantages derived from rivers and streams of water."

Mr. Rawlinson, the Government engineer, on being asked (Question 3,999) his opinion with regard to the probable condition of rivers in case the present system were persevered in, said—

> "One can hardly imagine the rivers and streams ever becoming worse than they are now."

Instances had been given to the Committee of last year which demonstated the enormous extent of the evil, and made the Committee fully sensible that the people would not much longer endure the grievance. Mr. Whitehead, surveyor of the county of Somerset, speaking of the state of the river below Wells, said—

> "At the mills, half a mile below the outfall, I have seen very large quantities of solid matter, pure fœces, taken up from the grating; and the stench at the mill is so bad that the miller can hardly remain in the house."

Of the river Exe the same gentleman said—

> "The town sewer discharges itself close to the Exe-bridge, and the whole bed of the river is one mass of pollution."

Of the river below Sherborne he said—

> "The whole stream for a mile and a half from the outfall is one mass of sewage, as you can see by walking on the banks and observing the different substances clinging to the sides. It does not contain any fish, and the farmer occupying the lands on the northern side of the river has been obliged to dig artificial places for his cattle because they cannot touch the water in the river now."

Dr. Acland, Regius Professor of Physic at the University of Oxford, testified that the Thames was "a national disgrace." He described the process of fermentation which took place in the river. There was a disengagement of gas in the foul deposit at the bottom of the river, and large masses of black sewage were thrown up to the surface; these being light floated down with the current, or became entangled in the weeds and rushes at the sides. In course of time those masses either became disintegrated and dispersed through the water, or else they were re-deposited and again underwent the same process whenever a favourable opportunity occurred. In summer whole beds of this stuff were exposed; at best of times there was a great accumulation of feculent matter and impurities among the rushes. The condition of the river, he said, was frightful. Mr. Rawlinson referred to the rivers of Yorkshire and Lancashire, and asserted that they were even worse than the Thames; for although as much sewage did not flow into them as into the rivers in the south, the towns in those counties still being imperfectly sewered, yet in another respect they were worse off, as they contained a much less volume of water. Mr. Rawlinson was asked—

> "Before the Tame reaches Birmingham, above Birmingham, does it not receive the sewage of 270,000 people?—Yes, and all the refuse of gasworks, pumpings of coal mines, and the drainings of that great district of South Staffordshire. Birmingham always suffers more or less from a type of fever. Its mortality is much higher than that of the metropolis."

In speaking of the Medlock, at Manchester, Mr. Rawlinson stated that the river there was covered with a black scum, so thick that birds were able to walk over it. [*A laugh.*] The hon. Member (Mr. Jackson) laughed, not because he doubted the facts which he knew he was not in a position to controvert; not because he was ashamed of the condition of that great emporium of commerce with which he was connected; but simply because he was opposed to the Bill. If he had any answer to give to the deliberate statements of Mr. Rawlinson, the Government engineer, or thought that gentleman had spoken untruly, let him rise in his place and say so; but otherwise he must remind the hon. Gentleman that a laugh was no argument whatever; a sneer disproves nothing. Mr. Rawlinson was asked this question—

> "In your report you state that the Medlock, at Manchester, is covered with a black scum so thick that birds are able to walk over it—Is that the case?"

And he replied—

> "That is so. I know, as engineer to the Bridgewater Canal, that the abominations in the Medlock and its tributary rivers are so great that words would scarcely convey what it is. . . . You see the gas rise up in a bubble, and a mass of scum with it, which cakes on the surface. You might skim the Bridgewater Canal at Manchester and cleanse it completely every four-and-twenty hours; and this process of putrefaction with the subsoil takes place, and raises this scum, which again cakes and covers the surface."

He added—

> "The Clyde is worse than the Thames or than the rivers of Lancashire."

That was the condition of the great arterial stream of Scotland, which was proud with the wealth, and white with the navies of Greenock and Glasgow. Can any one deny that the evil and disgrace is truly enormous? These were evils sufficient in themselves to demand instant removal—abuses freely confessed to be a disgrace to a nation which prided itself on civilization and advancement. But this is not all. From this sprung a brood of other evils not less malignant in their character than their sire. He alluded first to the pollution of our water supply. The water companies which supplied London, formerly took their water from opposite Lambeth and Chelsea. But a recent Act of Parliament had compelled them to remove their works, and to take water from above Teddington Lock, where the supply was at that time pure. But it had been given in evidence that the stream above Teddington now received the sewage of fifty towns; and this number was every year receiving additions as other places came under the Local Government Act. Even now the inhabitants of London were drinking the sewage of 800,000 persons. In a few years this would be doubled. Let them not lay the flattering unction to their souls that filtration offered any adequate remedy; it merely removed bodies held in suspension, but could not touch matters in solution. It strained out solids; what was dissolved passed through. Now, of the putrifying matters of sewage 6·7ths were in solution, and only 1-7th in suspension; so that the water might be filtered till it was perfectly clear to all appearance and yet contain 6-7ths of the sewage; and these 6·7ths were the most putrescible, the most deleterious of all. Let it be filtered 100 times, if they liked, and nothing practically would have been done to remove the pollution. It would look clear and bright, and colourless. For colour is due to solid bodies in suspension. Mere solution is colourless. Dr. Hoffman and Mr. Witt, the referees to whom the Government had intrusted inquiries connected with the main drainage of the metropolis, wrote that—

> "When water contaminated with sewage has been completely filtered through paper, sand, or even through animal charcoal, and by that means rendered perfectly colourless, clear, transparent, and inodorous, or after it has been treated with lime, it speedily begins (especially in hot weather) to ferment and putrefy, and becomes decidedly mischievous."

These gentlemen, it must be observed, were speaking not of the common and gross appliances possessed by water companies; but of chemical filtration carried to the utmost extent of refinement that science enabled them to reach. And yet even this was utterly useless. Professor Way was asked—

> "Do you consider that water which has once become polluted by sewage cannot be perfectly cleansed for drinking purposes, either by means of filtration, or precipitation, or deodorization, or any other chemical process?"

He replied—

> "Certainly; it cannot be practically purified by any chemical process."

Was he wrong, therefore, when he stated that the water supplied to London for drinking purposes did really contain the sewage of 800,000 persons? In the Greek fable we were told that when the god of strength had to perform the task of removing the immundicity of the Augean stable, he turned a river, and made it flow through the stable. We had followed the example of Hercules; we had resorted to the means which he had taught us, in bringing the Thames through every man's house, and thus clearing away the abominations of London. But there, unluckily, the analogy stopped. Hercules never proposed to drink up what had flowed through the stable; we, in our recklessness, drank the water which had flowed through our towns. Not only could argument be drawn from the repulsiveness of the unsatisfactory system at present acted upon, but also from the enormous expenditure which it necessarily involved. London was not the only great town which had been exposed to this evil. Manchester had to fetch water from a distance of twenty miles —none could be found nearer than twenty miles. What Manchester had to pay for such enormous works was the fine and punishment in which it was mulcted because of the impurity of rivers. A resolution passed at a recent meeting of the Sanitary Committee and also of the Committee of the Town Council in the borough of Nottingham, showed the mischief resulting from the same state of things to that town. It was stated—

> "That impure liquid matter from the manufactures and population of Old Lenton, near Nottingham, flows into the river Trent about a mile and a half above the point at which a large part of the water supply of Nottingham is now drawn from that river. That the river Leen, which passes through the town, and which was about forty years ago a pure stream, and afforded the principal supply of water to the town for all purposes, is now foul and offensive by reason of its conveying part of the sewage of Nottingham and the whole of the sewage of an extensive and populous higher district, over which the authorities of Nottingham have no control, and flows with the rest of the sewage of Nottingham into the parish of Sneinton and thence into the river Trent."

At Leeds, £150,000 had been expended

in sewerage operations. It was then found that the water of the river Aire could not be drunk. They accordingly spent upwards of £350,000 or £400,000 in getting water from the river Wharfe. Thus it cost the town of Leeds half a million sterling to foul the river Aire. And, after all, the town is no better off than before. The river Wharfe was becoming as bad as the Aire. It received all manner of contributions from sewers, tanneries, paper mills, and manufactories. The river Wharfe had become so impure that on dipping a carpenter's foot rule four inches below the surface it was found impossible to read the marks upon it. Yet this was the water the people of Leeds drank; and the hon. Member for Leeds (Mr. Baines), drinking nothing but water himself, tried to persuade every other person to do the same. Last year Bills were promoted by water companies, involving in the whole, in order to carry out their objects, an expenditure of no less than £2,000,000. In one year alone, £2,000,000 had been withdrawn from the general resources of the country—£2,000,000 abstracted from the capital which employed labour—£2,000,000 taken out of the pockets of the ratepayers. And why? Merely because the Government had permitted persons to foul the waters which had formerly been drank and enjoyed by the country at large. Secondly, another evil which resulted from the pollution of rivers was that the growth of weeds was stimulated by the sewage. This prevented the natural scouring power of the stream, and thereby impeded navigation. It was an effort of nature to diminish the impurity of the water. This effort was continued as long as the impurity was slight. When it increased, the remedial agency was destroyed, the weeds were killed. Thirdly, fish were also provided by nature for the same object. But with the fishes, as with the weeds, when a certain point had once been reached, the sewage overcame and destroyed them. Mr. Ffennell, Chief Commissioner of Fisheries, stated that not a single salmon-smelt could get through the river at London down to the sea. The loss occasioned to fisheries all over the kingdom by this outpouring of sewage by mines, gas works, paper mills, and factories, was enormous. The deposit from sewage and ashes destroyed the spawn; the refuse from mines and factories poisoned the fish. Mr. Ffennell was asked these questions—

> "Do you consider that allowing the sewage to run into the rivers in England materially diminishes the amount of fish in England?—Very materially.
>
> "Do you see any reason why the Thames should not be as well supplied with salmon as Scotch rivers?—It only wants one thing—to purify the Thames from Richmond down to the sea. If that were done there is no question but that salmon would at once come into it."

On this question of the fisheries he had been furnished with abundant evidence. At a meeting lately held at Chester, working fishermen came forward to state that they had picked up and taken in their nets dozens of salmon which had been destroyed by poisonous sewage, turned out into the river at Chester. Mr. Eden, the Inspector of Fisheries, had attended that meeting and received that evidence. The hon. Secretary to the River Dee Salmon Fishery Association had preserved a bottle of pure paraffin made from the water which had been taken from the Dee below the Petroleum Works. With regard to the river Calder, the following amusing passage occurred in one of the Reports of the Fishery Inspectors:—

> "Some years ago the Calder was a brilliant fishing river. I could take my rod, or send my keeper, if a friend came unexpectedly to dine, and have a salmon for him to a certainty. But there is no such thing as a fish in the Calder now, and so strong is the infusion of dye-stuff contained in it, that slipping off its bank last summer I unfortunately underwent immersion in the water, and my Russia duck trowsers were dyed a determined deep blue, which defied the powers of bleaching to obliterate."

Some hon. Members were apt to think light of the loss of salmon. Let them bear in mind, however, that loss of fish meant loss of capital, in return for which nothing whatever was gained. On this point Mr. Ffennell was asked—

> "The revenue from those salmon in the Thames would be very large, would it not?—Yes; very large comparatively with other rivers."
>
> "The revenue from small rivers in Scotland is some thousands per annum, is it not?—Yes; and it would be very much greater on the Thames."
>
> "Is it not useless to attempt to breed salmon in the Thames so long as the sewage of London is allowed to run into it?—Perfectly useless."

The Thames contained no salmon. Its watershed was about equal to that of the Severn, which comprised 4,437 square miles. Only £1,000 worth of salmon was caught annually in the Severn. The watershed of the Tay was half that of the Severn—namely, 2,283 square miles; the yield of salmon was annually worth £30,000, yet the Tay was not half preserved. Clearly, therefore, if the Severn were allowed to produce its due proportion of salmon, it would yield about £120,000 a year. He had already stated that the watersheds of the Severn and the Thames were equal in point of extent. The Thames, therefore, in its normal condition, would produce £120,000 worth of salmon a year. The same might be calculated for every other river in England. The loss of revenue under this head was enormous. Yet this was not all. It was a direct injury to the poor. At the mouth of the river Dee 300 families found employment. How many families might there not be under happier circumstances at the mouths of the Severn and the Thames, were this great evil removed. The injurious effects of the river pollution were not confined to fish. Fourthly, cattle likewise had been poisoned. There were two instances mentioned before the Committee, of actions having been brought to recover damages for loss of cattle. Two days ago the Vice Chancellor Wood granted an injunction against the town of Banbury, because the pollution of the river by the sewage of that town had destroyed the plaintiff's cattle. He had also been informed by Mr. Whittaker the vicar of Whalley, in Lancashire, that—

> "The waters of the Calder and its tributaries were poisonous to cattle on their banks. That fact could be attested by Colonel Towneley, Mr. Peel, and Mr. Taylor, owners of the best short-horns in the world, and winners at Chelmsford, Battersea, and Leeds, severally."

Fifthly, let the House consider the sanitary aspect of the case. Could any one doubt that this was also injurious to health? All the witnesses concurred in regarding this as unquestionable. Mr. Rawlinson stated that Lambeth used to have worse water than Chelsea; it had at that time more disease. Subsequently it had better water than Chelsea, and the death rate was reduced below that of Chelsea. At Ottery St. Mary, where a stream received the drainage and furnished the water supply also, a fever always hung about the place, and was called in the country the Ottery fever. Epidemics and fevers, another witness affirmed, always infested those places which laboured under the evil of infected water. The surveyor of the local Board of Health at Exeter stated that—

> "His attention had been called to the impure state of the river Exe, the emanations arising from which during the past summer had been of the most offensive character."

"An unusually large number of fever cases among the inhabitants on its banks" had been the result. Disease in such localities was caused by the impurity of the water; but the air was also thereby contaminated. How near they were to disease in London last year might be seen by the Report of Dr. Letheby, who said—

> "That which keeps down the offensiveness of the river during the summer time is either a low temperature or a copious rainfall."

He added that there were periods of many months' duration every year, when from the evaporation of the water and the small supply from above, the flow of the stream was not downwards but upwards, and that at such times sewage discharged into the river at Barking would flow upwards to a distance far above the city bridges. Thus, in London, where £6,000,000 had been spent in improving the sewerage and purifying the river, the inhabitants were not secure from disease from this source. Dr. Acland told the Committee—

> "There is not the slightest doubt that excrements from human habitations in the towns, polluted the waters in a very dangerous manner. I think it is perfectly established by sanitary investigators that disease, especially cholera, has been propagated in this manner."

Dr. Acland described the effect of this state of things even in those cases where actual disease was not evoked. It produced a low condition of health, which rendered it necessary to administer quinine and other tonics and stimulants. When our forefathers ailed they were usually bled. This was always done at spring time and fall. Their diseases were always the results of having too much blood. But now every one was in a low condition—every one was weak and sickly and puny, and required quinine and other tonics and stimulants. This low state of health there was too much reason to believe was produced by the water which the people drank having been fouled by sewage. The Board of Health had as long ago as 1842 been of opinion that it was such a low state of health that drove people to the spirit shop. Thus, then, it was that no less than £25,000,000 worth of spirits were annually consumed in Great Britain alone. Thus it was that drunkenness prevailed, and the consequent loss of time from useful labour, and the expense of hospitals which resulted, and the unproductive maintenance of widows and orphans. He had next to speak of the evil done by mines, collieries, and manufactures. The Fishery Inspectors, in their second Report, said that—

> "The injury done by the Deliffi mine, for example, would take two years' purchase from the value of every acre of land on the banks of the Dovey."

It appeared that an injury of some £50,000 would be inflicted on the neighbourhood, because the company would not expend about £500 to remedy the evil. The injury which had been caused to a large population, in order to keep a trifling sum in the pockets of a few, was enormous. Another instance was given where many million tons of cinders, ashes, and spoil were thrown from one work alone into one of the tributaries of the river Usk. This was done, as the Inspectors of Fisheries pointed out—

> "Not from any necessity consequent upon working the mines, but in order to save the parties the expense of providing heap or rubbish room."

Such an injury was not local; at each flood it was carried many miles lower down the river. The sixth and last evil to which he would advert, was the injury to the drainage of the country. The rivers were silted up not only by the deposit from sewage, but also through ashes and cinders being thrown into them. The beds of the rivers were thus raised; and a swamp occasioned in the adjoining lands. The bed of the Rhyne at Weston-super-Mare had silted up two feet in the space of nine months. At Oxford, according to Dr. Acland, the Thames had silted up as much as six feet; and the consequence was that the flat districts were in a sodden and water-logged condition. The scouring power of the river had also been diminished; and the accumulations increased at a more rapid rate. In Lancashire and Yorkshire many thousand tons of cinders were tipped into the rivers every year. Mr. Rawlinson stated that in those two counties there were river beds which had been thus raised ten or fifteen feet above their former level. In the Basin of the Mersey above Manchester 75,000 tons of cinders were tipped in every year. Mr. Rawlinson said he remembered a bridge under which a loaded waggon could have been driven, but under which a dog could now hardly crawl. These manufacturers dare not injure a private canal; with impunity they destroy public rivers. At Bolton a coal owner boats his refuse for three miles along the canal, until he comes to the Irwell; into that river he discharges his barges of refuse. The silting of rivers caused floods, and thus farming operations were stopped in the country surrounding them. For the injury was not local. Above Warrington—eighteen miles below any manufactory — the river was dredged yearly, and a hundred thousand tons of ashes and cinders were taken out of it. Such evils surely called for the instant interposition of the Government. The drinking water of the people was fouled; and no filtration could purify it. Weeds grew in the rivers, and navigation was impeded. The country lost an enormous revenue by the destruction of fish, and farmers by the death of their cattle. The health and strength of the nation declined; and the beds of rivers were silted up, so that drainage was impeded, and the surrounding country reduced to a water-logged condition. What honest Government would permit such evils? What independent people could long endure them? Yet this was not all. They were daily increasing, and consequently a remedy was most urgently required. The cure must be both instant and vigorous. After 1848, when towns first began to divert their sewage into rivers, the evil was slight. Sewering advanced but slowly; the amount of pollution was trifling, and persons were not awake to the consequences. But now every year the sewage of new towns was poured into the rivers, and the evil was being multiplied tenfold. The danger was most urgent, and was constantly being enhanced. The evil was rapidly growing upon us. Dr. Acland, Regius professor at Oxford, said that the Thames there had become absolutely unbearable. How much worse, then, must it be for the City of London? Mr. Tom Taylor, the Secretary to the Local Government Board, was asked—

> "Do you agree with the Commissioners in stating that it is an evil of great national importance?—I apprehend that it is, because it is a growing evil, and is, I fear, in course of growth to very serious dimensions."
>
> "Then do you consider that it is absolutely necessary that sewage should not be allowed to run into streams and rivers?—That is the only way of preserving streams from pollution."

This was bad enough in itself and in its consequences. What made it worse was its illegality. The law of the land was set at defiance. The practice was contrary to law. As early as the 12 *Richard* II. a statute was passed enjoining the mayors of boroughs to make proclamations against throwing filth or rubbish in the rivers. No communication between the cesspools of the houses and the sewers of the streets was permitted until 1847. The object of the latter was merely to convey the surface waters. It was the Board of Health that fostered the change by which cesspools were connected with the sewers, and the sewage was diverted into the rivers. The origin of this was the discovery that it was easier to remove these matters by water than by hand; besides which the removal was more completely performed. It was therefore more cleanly and more healthy. At first the cesspools were pumped out into the sewers by means of a fire-engine and hose. The Board of Health knew that they were thereby polluting the streams and acting contrary to law; but they excused themselves upon the ground of a greater good being achieved, and that the evil would work its own cure, by compelling the adoption of some other means of dealing with the sewage. The Board of Health, in fact, contemplated from the very first, the utilization of sewage upon land. According to the evidence of Mr. Gael and Mr. Tom Taylor, they very early set themselves to collect evidence in favour of sewage utilization. In former days human refuse was always applied to the land. There was a regular service of scavengers, established by law, who collected it every morning, and removed it in dung pots and dung carts to laystalls, which were provided by law. Thence the return carts which had brought vegetables into the towns, were obliged to take back the refuse, and it was all spread upon the land. There it ought to be put now as formerly. The only question was, how to get it there, —by the hand of man, or by washings of water? But the removal of matter was easier by suspension in water, and cheaper than by hand. That was fully established by the evidence given by the Government engineer before the Committee. An instance had also been related of the means by which the large reservoir of the West Middlesex Company had been cleaned out. It had silted up several feet, and an engineer had contracted to clean it out in four weeks for the sum of £400. He was aware that it would be much cheaper to puddle this with water than to cart out the silt; he therefore sent in some Irish labourers who, by stirring up the deposit, and letting it flow out with the water, cleared out the reservoir in four days at a cost of only £40. At St. Austell's, in Cornwall, instead of carting the china clay, which amounted to 200,000 tons a year, it was conveyed for three miles in pipes by suspension in water and by means of pumping. One clay merchant alone thus saves as much as £800 a year, which he would otherwise have to expend in carriage. Mr. Rawlinson, in illustration of the cheapness with which sewage could be removed by means of suspension in water through mains and with pumping engines, was asked—

> "Some engineers have given it in evidence before the Committee that the carriage of a substance, clay for instance, by suspension in water is cheaper than to carry it in a cart; is that so, in your opinion?—I have no doubt about it."
>
> "Then if it were remunerative to remove the matters of the cesspools to the land in former days by means of carts, will it not be still more remunerative, in these days, to remove it by means of suspension in water through mains, and with pumping engines?—There is no doubt about it; you can pump by those engines in the Lambeth Works, (which stand almost opposite this House, I believe) about 80,000 gallons 100 feet high, at a working cost (including coals, tallow, and wages) of one shilling."

He wished to point out to the House that the sewage of towns must be applied to the land, and that there was no choice in the matter. There was no alternative. It was an imperious necessity. We must return to the land what had been taken from it, instead of robbing the land to poison the water. Filtration had been shown to be ineffective. Deodorization had been proved to be out of the question. Professor Way was asked—

> "If sewage is not to be allowed to run into rivers, and if all those means of precipitation, filtration, and deodorization are ineffective, what other alternative is there for dealing with the sewage?"—"To use it in a liquid form upon land."
>
> "That is, in fact, the only other alternative?" —"It is."

Mr. Tom Taylor, Secretary of the Local Government Office, said the very fact of stating that this sewage should not be allowed to infect our rivers, was as much as to say that it must be put upon the land. That gentleman then gave it as his opinion that the utilization of the sewage upon the land should not be regarded as a commercial speculation, but should be carried out whether it paid or not. He went on to say that if the local boards did their duty, they would sewer the towns to prevent infection of the air; and if the Watershed Boards, to be formed under this Bill, did their duty they would protect the water of our rivers from pollution, and that the result would be the application of the sewage to the land. Deodorization of sewage had, in numerous instances, altogether failed. In the case of Croydon, after three or four injunctions had been obtained, they tried deodorization without success; and the Vice Chancellor said that he agreed with the opinion expressed by Professor Way, in his evidence before the court, that the only way to deal with sewage, was to apply it to the land. There were about sixty methods of deodorization referred by the Board of Works to certain referees, who reported in favour of the method of Mr. Dales, as being the only one which was likely to meet the requirements of the case. Nevertheless, Mr. Dales himself had said that, although his method of deodorization had been pronounced to be the best, he was of opinion that it was a mistake to attempt to deodorise the sewage, and that the only proper thing to do with it was to put it on the land. It was obvious, then, that chemistry had confessed itself vanquished and retired from the contest, and agriculture thereupon stepped in, and solved the problem. The land, in fact, was the only perfect deodorizer. It extracted from the sewage every element of putridity, or, in other words, every element of fertility. Dr. Acland stated to the Committee, that the power of the soil to purify water was most remarkable, and that it operated not only very efficiently but very rapidly. Professor Way was the first chemist to discover this great property of the soil. In his examination he said that the foul smell of the sewage was in an incredibly short period of time caused to disappear by means of the soil, but that chemistry could do nothing effectual in this direction. The soil, he said, exercised this extraordinary power of cleansing the impure water by abstracting from it all the manurial properties which it contained. This power was very limited in extent, but was immediately renewed by the roots of growing plants which freed the soil, and enabled it to fix another share of these fertilizing elements. This was, as it were, a finger post of nature, pointing to us the course which we ought to pursue. It is natural that the elements taken from the soil by the plants to serve as the food of man should be returned to it, to play their part again in the great cycle, and not "be cast as rubbish to the void." Some persons had asserted that the utilization of sewage upon land would be unhealthy to the population; but there was not a single witness who dared to assert this before the Committee. On the contrary, every one had said that, whatever advantages were to be gained by the moderate application of sewage to the land, it was evident that no evil whatever could result from such a system. Mr. Rawlinson, speaking of the Committee-room in which he gave his evidence, said that if it were a grass plot, it might be irrigated every morning with sewage, and that half an hour afterwards there would be no perceptible smell. Mr. Tom Taylor said, "He had heard of many applications of the sewage; but that he never heard of injury to health from it." Professor Way asserted that it was neither bad for health nor offensive if used in small quantities. He had now, he hoped, made out his case as to the absolute necessity of utilizing sewage, in order to prevent the pollution of waters. And thus the volume of every river would be maintained, the purity of the water secured, and the health of the people remain unimpaired. It must be done, whether it paid or not. He wished it to be expressly understood that he did not argue this question on financial grounds; he had established his case on absolute necessity, on the enormity of the evil, and because the Legislature had no other alternative. He had not as yet spoken of the value of the sewage, nor of its fertilizing power, in an agricultural point of view. He trusted he might now be permitted to fortify his case, to strengthen and to embellish his position, by speaking of the riches which would accrue from the adoption of this system. He would show the gain of the contrary course in the immense fertility of the land, which would be the result of this utilization. Though some hon. Gentlemen might endeavour to undermine the citadel which he had constructed, he could tell them that their efforts would be vain, as it was built upon the rock of necessity, which defied all the tools of the miner. He was, however, now going to build up certain outworks to the fortifications which he had raised. These might be destroyed without affecting the strength of the citadel. He would begin the second part of his subject by making a quotation from a speech of the Chancellor of the Exchequer last year in Liverpool. The right hon. Gentleman observed on October 13, 1864—

> "There is something, I believe, almost unprecedented as regards any great country, something quite unprecedented in the condition of a nation whose commercial position might now be defined as ours. Nearly one-half of the essential food of the people of England—I mean grain—is cultivated and raised in other lands; perhaps I might say, independently of food, nearly one-half of the whole materials of the labour of the country are also produced in other lands. What is the condition of a country whose industry is distinguished by features like these? Here is opened to us a vista almost interminable, because we are not

only dependent, but we are unceasingly dependent, on foreign supply."

These words of the Chancellor of the Exchequer he (Lord Robert Montagu) considered to be a powerful argument in support of his case. The greatness or insignificance of a nation depended, in secondary causes, upon the fertility of its soil. Adam Smith had said, "the sea and the earth are the two breasts of our great mother," without sustenance from these no nation can exist; and if the stream from one of those breasts were dried up, the people would dwindle and become puny. It was said the other night, in the course of the debate, that the strength of a nation depended upon its men—but it should be remembered that the men depended upon the sterility or fertility of the soil. Mr. John Stuart Mill had shown that the number of marriages and births varied every year with the price of wheat. Sparta sent 8,000 warriors to Platæa. In 100 years she could not muster 1,000 men. The historian Plutarch informed them of the reason. It was uninhabited by reason of its barrenness. The decline of Greece commenced from the sterility of the soil. For the farmer quits the field which ceases to support him. The Temple of Paestum was once in the midst of a dense population, rich gardens and fertile fields. It is now in a depopulated waste. The decline of Rome began with the importation of corn. And the Chancellor of the Exchequer had said that our state was unprecedented, because we depended upon foreign countries for our corn. China had now a population of 307 millions — a great nation in comparison with the thirty millions in the British Isles. She was able to maintain this great population because she did not lose an atom of refuse but maintained the fertility of the fields by restoring to the soil all that was taken from it. An Emperor in this land of Confucius, in one of his proclamations, said that he looked forward with deep concern to a period when the number of the people shall have exceeded the means of subsistence, and issued a decree that, for this reason, none of his people should presume to lose any of the refuse. Japan was also crowded with people, but they were not compelled to resort to other countries for food. They fed no cattle for manure, they purchased no guano, they imported no food, but they relied upon the utilization of human refuse. But our towns resembled the tub of the Danaides through which wealth was incessantly poured but which was all as quickly lost.

> "A time there was, ere England's griefs began,
> When every rood of ground maintained its man."

But now—

> "Far away our children leave the land."

And why was it? Because we took as much as possible from the land without returning anything to it. It was true they returned to the land what their horses had eaten, and the beds they had laid on; but that which man consumed was cast into the river and flowed to the ocean. A measure of human manure made a measure of corn. We threw away the former and imported the latter. This was like throwing away the wool of our sheep, and sending to Saxony for cloth. Ploughing and fine weather did not make full granaries. Every year the elements of corn and flesh were taken from our fields. If they were not returned thither those fields must become poorer and poorer. We drew on one side of the account and got no receipts on the other. What wonder was it if we were rushing to bankruptcy? The result was that we every year sent away £16,000,000 for foreign corn, all which money should go into our farmers' pockets. But a time would come when the fields in other countries would become exhausted, because all the elements of fertility had flowed out to sea; when civil wars or commotions would arise and cut short their supply; when their populations would so increase that they would want for themselves all the food they grew; when they would cease to want our coal and iron, so that we should have nothing to give them in exchange for their corn. What, he asked would be the result? Why a state of things which it was fearful to contemplate; and it behoved a Government to make provision against such a calamity falling upon the people. For a dearth of bread was worse than a dearth of cotton. The great value of sewage manure on the other hand consisted in its increasing with the population; and thereby they were enabled to keep up the fertility of the land, as there were more mouths to consume the produce. It was a manure that was suitable for all crops. One witness stated before the Committee that he had grown corn seven successive years on the same land by the application of the sewage obtained from his labourers cottages. Each year the crop was better and heavier than the previous one, and the last crop was two or three times greater than the first crop. With regard to grass, Mr. Lawes stated that he could with ease obtain by means of sewage 1,500 gallons of milk per acre. The land at Croydon had only fetched £2 per acre. There they were obliged to utilize their sewage in consequence of the Vice Chancellor's injunction. The land in the vicinity immediately went up to £4 per acre. They took eventually 250 acres at £4; and Mr. Marriage offered them £5 per acre for the 250 acres, provided he was supplied with all the sewage for a certain period. His offer was accepted, and the town thus made a profit of £250 a year by the transaction, besides the sale of deposit at 1*s.* 6*d.* per ton. They had previously lost £40,000 in lawsuits and experiments under the old system. Mr. Marriage now got four crops of grass a year from the land, the first crop being a month earlier than any grass in the neighbourhood. The amount of grass in each crop was 14 tons per acre, which sold for £8 an acre. Thus, without any expenditure, he every year cleared £32 per acre. The people of Croydon saw now that they ought to be paid at least £15 an acre for the land. The sewage of Croydon was inferior to that of London, the water supply at Croydon being 50 gallons per head per day, and that of London being only 33 gallons per head per day; and if the sewage of Croydon produced such magnificent results, how much more valuable must be that of London? The application of the sewage to land he need not remind the House would greatly enhance the value of the land. The increased value of the land at Croydon, he had already shown. The land at Edinburgh, which at one time fetched only 2*s.* 6*d.* per acre, now, by the application of sewage to it, had increased in value to £35 or £40 per acre. The commercial value of sewage was a disputed point. In Flanders it was calculated at between 25*s.* and 30*s.* per head of the population; the Government Referees, however, placed it at 10*s.* 10*d.*, and Messrs. Napier and Hope stated it to be only 6*s.* per head. But then it must be remembered that they wanted to purchase. They all knew the proverb of Solomon, "What says the buyer, it is nought, it is nought," and so Messrs. Napier and Hope said with respect to sewage. He would, however, not urge this disputed point. At all events, enough had been stated with regard to its value to show the enormous loss which was now sustained every year. Sewage had moreover a fictitious value. For artificial manures were always adulterated; sewage would always be pure. The quantity of artificial manures was also "miserably insufficient." Professor Way stated, in his evidence before the Committee, that—

> "There is no doubt in the world that the supply of manure is miserably insufficient for an improved state of agriculture; that is to say, suppose that ninety-nine farmers were to farm as the hundredth does at this moment, there would be a scramble for manures."

He had stated also that the sources of guano would be exhausted in less than twenty years. It was therefore necessary that some other good and efficient manure should be provided, or else in a short time there would be, as Professor Way had said, a scramble for manures. He had shown the enormity of the abuse, and the evils that sprung from it from the pollution of the waters, the expense the country was consequently put to in procuring a proper water supply, the depressed condition of the people, the defective drainage of the land, and the loss of revenue by the destruction of fish and cattle. He had also shown the wealth which must accrue from the utilization of sewage. By utilizing the sewage they would be creating yearly twenty millions of capital, which was now utterly lost. This would benefit not only the farmer and the landowner, but also the labourer from its giving the increased means for the employment of labour. The sale of town sewage would lighten or remove the burdens of the ratepayers. The landowner would see the value of his land multiplied twenty times. The economist would rejoice that the capital now expended in procuring guano and foreign corn would employ labour at home. The statesman would be at rest when he saw us independent of other nations for our supply of food. Let not the House however ride off on a fallacy; he believed in the value of sewage, but he rested his case on the necessity of protecting the waters. It must be done, and we shall be rewarded for doing it. This, no doubt, was a sweeping Bill; but it was rendered necessary in consequence of the indolence or incompetence of the Government who had allowed the evil to grow to such an extent, and the law to be broken year after year till a sweeping measure became necessary to check it. If the Bill was a sweeping measure, the fault was not his, but that of the Government in not listening to the reports of Commissioners and Committees when they urged on them to devise or adopt a remedy; but rather than endanger their elections they had listened to a few manufacturers, and had allowed our water supply to be still contaminated, and the health of the people to be thereby endangered. His right hon. Friend (Mr. Adderley) had done something; but private individuals in general did not like to incur the odium and expense. They said it was no business of theirs; why should they bestir themselves and take so much trouble to promote the good of others? Local Boards would not put the law in motion, for they were interested in committing the injury. Each grumbled at the towns above and injured those below. The town of Salford once applied to the town of Manchester, and said, "We are willing to spend £80,000 if you will join us in turning the sewage of the two towns on to the meadows." But Manchester replied, "We would willingly do so if the towns above would join instead of sending us down their polluted matter." There must, in fact, be unity of action in each watershed. Without such unity London might spend £6,000,000 in draining, but it would receive injury from those above. The remedy for existing evils was a Board to preside over the entire watershed area. This had been recommended by the Fishery Commissioners—

> "The scheme of local management which we would recommend is that which has been approved by experience in Ireland, and is founded on recognised constitutional principles. It is that a Board of Conservators to be elected by and to represent the various interests along the whole course of the river or rivers placed under the management of the Board, including both the proprietors of land on the banks, the owners of several fisheries and the fishermen who exercised their vocation in the tidal or navigable waters. All these parties would be called upon to contribute to the expense of protection, and all should accordingly be represented at the Board by such persons as they may elect for the purpose. The scheme would be, in its general features, similar to that laid down for Ireland by the 11 & 12 *Vict.* c. 92."

With regard to the construction of that Board he had deferred to the recorded wisdom of Parliament. In London there were various large parishes and various small parishes. For the purposes of the Metropolitan Board of Works the small parishes were grouped together into districts which selected representatives to the Board; while the large parishes each sent a representative. This Board exercised a supervision over the Local Boards of each separate parish. He would apply this principle to the election of a Board to manage the watershed of each valley. The watershed would be like the metropolitan area, only that the constituent districts would not be contiguous but far distant, and would be connected only by being on the same waters. Meetings should be held to consider the conditions of representation and so forth; an Inspector sent down for the purpose from the Home Office should hear all that could be said, see what good could be done, what works could be carried out, what compensation would be asked for. His Report, after being circulated freely, would be subject to appeal. The Secretary of State would then issue a provisional order, which any one might dispute at the Home Office. If it passed the Home Office, it would then come before Parliament, and run the same gauntlet as a private Bill. Consequently, no rights could be infringed without ample means of defence and compensation. The matter was brought before the Government ten years ago; it had been urged upon them repeatedly since; Lord Shaftesbury and Lord Ebury had called attention to the subject; but the Government had done nothing. Had they taken up the matter, he should not have come forward as he was doing on the present occasion. But it must be remembered that although the law was definite, our present legal tribunals were costly, slow, and practically inoperative. The expense of indictment is the security of the nuisance monger. With such enormous evils staring us in the face, with such abuses thrust on our attention, could they make up their minds to delay? could they consent to stand idly gazing at the loss of our wealth, at the pollution of our rivers, at the deterioration of the people? The Assyrian Empire dwindled because a system of irrigation by which it had multiplied food had been suffered to fall into decay. And now woe to the Government which stands with folded arms and looks undisturbed at a starving people, at contaminated waters, at taints of disease in the atmosphere. Woe to the Government which stood like apes around a fire in the woods, that had been deserted by travellers; they stand around blinking at the light, but not knowing how to feed its flames, and fearing helplessly for the frost which soon will nip them. Woe to the Government who have a remedy put before them, but cannot make up their minds to improve it and pass it into law, and yet fear for the time when the keen winds of a stormy election shall nip them, and the curses of an angry and aggrieved population shall fall heavily on their heads.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Lord Robert Montagu.*)

SIR GEORGE GREY said, that the noble Lord in the speech which they had heard had mixed up various subjects, and had departed from the immediate object of the Bill, which was the protection of the waters of rivers from pollution. The noble Lord had said a great deal about the utilization of sewage, which was the subject of another Bill which he had prepared, and had spent a great deal of time very unnecessarily in showing that great evils arose not only from sewage, but also from the refuse of mines, manufactures, and other matters being poured into rivers and streams, but he had failed in showing that he had presented to the House a measure which could have any practical effect in accomplishing the object which he had in view. They were not there to pass a Resolution as to the purification of rivers, but to consider whether the scheme submitted to them, in order to carry out that object, was one which might rightly be adopted. Upon that point he had come to a decided opinion that it would be unwise to adopt the principle of the Bill by agreeing to its second reading. He did not mean to say that it was not desirable to vest larger powers in the local authorities to deal with sewage, but that was a point which came under the second Bill of the noble Lord. But what did the noble Lord propose to do? The noble Lord had, in his opinion, exaggerated the evils which existed, and had drawn a melancholy picture of this country being reduced almost to a wilderness from the rapid decrease in the fertility of the soil. He (Sir George Grey), however, had been under a very different impression; he believed that the fertility of the soil of England, so far from decreasing, was increasing, and therefore he thought the picture drawn by the noble Lord did not very faithfully represent the real state of things. There was no doubt, however, that an evil did exist, and the question was, how was it to be dealt with? Now, the difficulty about dealing with the sewage had not arisen from any action of the Government, but from the action of the Legislature. It was Parliament which, with a view to promote the health of towns, prohibited the system of cesspools which before prevailed, and the necessary consequence was that the sewage was carried away into the rivers and streams. That was no doubt an evil, but he could produce evidence which the noble Lord would not dispute—that of Mr. Rawlinson—to the effect that the abolition of cesspools had been conducive to the public health. Now, the moment that people should be convinced that sewage was a valuable article the whole difficulty of dealing with it would vanish, for they would be only too glad to get it for their land, and with the increased powers for the purpose of the outfall which might be usefully given to the local authorities the evil might be met in a very different manner from that proposed by the noble Lord in his Bill. And now a few words with regard to the provisions of the Bill. He objected to the Bill in the first place, because it placed unlimited powers in the hands of Inspectors appointed by the Secretary of State and of what were called Protection Boards—powers greater than he was disposed to think Parliament would give them, and which were of such magnitude that they would subvert almost all the authority held by local bodies throughout the country. In the next place he objected to those Boards because they would be unmanageable from the extent of the area from which they would have to be drawn, and from the numbers of which they would be composed. The noble Lord had said that he had adopted the recommendation of the Committee, but that was hardly the case. The Committee, indeed, had cited the opinion of Dr. Acland and other witnesses to this effect—

> "That rivers can be effectually freed from pollution only by extending the Local Government Act to entire watersheds, or rather by establishing Boards somewhat similar to the present Local Boards of towns, which should extend over the whole area of each catchment basin, instead of being restricted to the precepts of each town."

But the Committee then said—

> "We recommend that the important object of completely freeing the entire basins of rivers from pollution should be rendered possible by general legislative enactment, enabling the inhabitants of such entire districts to adopt some controlling power for that purpose; but it should include a provision for compelling Local Boards to render the sewage of their districts innocuous by application to the land for agricultural purposes. This was a far more vague and general recommendation."

Mr. Taylor who had been quoted by the noble Lord was decidedly of opinion that this Bill could not work.

LORD ROBERT MONTAGU inquired whether the right hon. Gentleman had formed that opinion from the evidence of Mr. Taylor?

SIR GEORGE GREY said, it was from personal communication with Mr. Taylor, who had given him his opinion of the Bill. He (Sir George Grey) was unwilling to say anything that should be disparaging to the noble Lord's exertions with reference to this subject. He had undoubtedly given much attention to it, and was entitled to great credit; but there were grave objections to the Bill. He had already referred to the enormous power to the Inspectors to be appointed by the Secretary of State and to the Protection Boards. The districts were to consist of the watershed area of the rivers; but the noble Lord had not told the House what the extent of those areas might be except in the case of the Severn, and it could easily be inferred from that how very large the extent of the Thames watershed would be. If hon. Members would only look at the sixteen different heads under which the Inspectors were to report they would have some idea of the magnitude of the task imposed upon them, and the difficulties with which they would have to contend. The Inspectors were to report as to the boundaries of the districts, in reference to representation and taxation; they were to name the first members of the Protection Boards; they were to report what works they thought necessary all over those immense areas; they were to examine into the rights and interests of corporations, navigation, and other companies, owners of fisheries, harbours, docks, &c.; they were to report as to the mode of raising money, and their report was to be embodied in a provisional order to be confirmed by Parliament. This provisional order which would embrace a great variety of subjects of the most complicated character, was to be laid before Parliament for confirmation. And what would be the effect of that? Why, that almost every corporate body and every individual in the country who had water rights, might be brought before a Committee of that House, constituted as a Private Bill Committee. He would ask the House to consider the consequences, the expense, and the difficulties attendant upon the process proposed by the noble Lord. He would say nothing as to the number of the Members that would be placed on the Protection Boards, but he understood that every Local Board within the catchment area was to be represented. There were other authorities also which would have to be represented, so that the number attending those Boards would be immense, if they could attend them, but that would be impossible. And then let the House consider for a moment what powers the Protection Boards were to have. They were to decide upon all the works that were to be undertaken, to have power to divert rivers, take down bridges, break up roads, take up gas and water pipes, pull down telegraphs, and so on—in short, their powers would be almost unlimited. Then there were provisions in the Bill which involved a totally new incidence of rating, distinguishing as to liability between one class of owners and another, which would supersede existing law, and substitute an entirely new system. These were powers which the House would hesitate to give either to Inspectors in the first place or to those Protection Boards in the next without much more investigation than had as yet taken place. The noble Lord said the Government had done nothing, though the facts of the case had been ascertained long ago, and asked the House to agree to the Bill because the case was perfectly ripe for legislation. But that could hardly be his real opinion, because there was on the notice paper of the House for the 14th of this month a notice in the name of the noble Lord for a Select Committee—

> "To inquire into plans for utilizing sewage, and their relations to the water economy of the country, and to consider the best means for remedying and preventing the pollution of streams."

With regard to the provisions of the Bill for securing the purity of streams they were very incomplete. They were not to apply to any body having a legal right to pour refuse into a river; but such rights would be constantly set up, and would be a great source of litigation. Then there were borrowing powers without any limit except the control of the Secretary of State. Again, the 161st, the last section, would actually repeal all local Acts which might be inconsistent with the provisions of the Bill. He thought that more inquiry would be necessary before proceeding to legislate in so sweeping and comprehensive a manner, interfering with almost every local Act throughout the country. He hoped the noble Lord would not press the Bill to a second reading. The noble Lord proposed to have the Bill read a second time, and then refer to a Select Committee. If the House were prepared to sanction the principle of the Bill he should not object to that course, but he thought the House was not prepared to sanction it. The House ought not to consent to send the Bill to a Select Committee unless it saw its way to making it a practical measure. He could not see any prospect of carrying the provisions of the Bill into effect, and therefore he could not assent to its second reading.

Mr. KENDALL opposed the second reading on the ground that the Bill, if passed, would prove the destruction of half the coal and copper mines in England and Wales. He knew three streams in Cornwall in which there had been trout, though at present there were none, but not £5 worth of trout had been ever taken in them; whereas in one year more than £100,000 was divided as the profits of the three mines which polluted those streams. When, therefore, the noble Lord talked of the loss of fish as the loss of capital, what did he imagine would be the loss to England from the closing of her mines? This Bill would stop every mine and clay work in Cornwall. He was glad that the right hon. Gentleman the Secretary of State intended to oppose the Bill, which would be one that would be most destructive in its effects.

Mr. JACKSON said, that he objected to the Bill being withdrawn. If it passed, the President of the Board of Trade would have but sorry returns of imports and exports to make for the future. A more mischievous measure had never been introduced. A similar measure had been proposed by Lord R. Grosvenor, but the opinion of the House was so strong against it that it was withdrawn. He greatly regretted that the Bill was allowed to be withdrawn without coming to a division upon it. On behalf of the great money interest he would say if Clauses 46 and 64 of this Bill came into operation some hundreds of thousands of men now employed in factories and mines, with their families, would be thrown out of employment, and all the capital connected with their working would be lost. As he thought it desirable that the opinion of the House should be taken upon the measure, he would move that the Bill be read a second time that day six months.

Mr. BRIGHT seconded the Amendment which had been moved by his hon. Friend. He had sat on the Committee, by whose Report it was said the Bill was suggested, of the noble Lord last year. He thought the question very difficult when he went into that Committee, but he thought it still more difficult when he came out. He did not think that the evidence laid before that Committee or that its Report, impartially considered, gave any countenance to the measure which the noble Lord had brought in. In regard to the particular clauses to which his hon. Friend had referred—the 46th and 64th—clauses of a more sweeping or unjust nature were never perhaps introduced into a Bill before Parliament. The noble Lord had referred to a mine in Wales with which he (Mr. Bright) had some connection and about which he knew a good deal. He could assure the noble Lord that the extract which he read from the Fishery Commissioners was almost altogether an untrue and very unfair statement of everything that had taken place with regard to that mine. They found that half a dozen Gentlemen, who were fond of salmon fishing, did not appear to consider it of the slightest importance that 300 or 400 men and their families obtained a good living by their honest industry in a mine in the Welsh mountains; and unless the mineowners were willing to do all kinds of impracticable things, which he believed would have no result, they were charged by the Fishery Commissioners with caring nothing for the purity of the river Dovey. He knew that the directors were most anxious to do everything that could be done, but there were mines in such a position that scarcely anything could be done without shutting up the mines altogether. The owners would only be too glad to expend the £500 to which the noble Lord referred to put an end to a grievance which he believed was grossly exaggerated, but they had abstained from doing so because they were never able to determine that the expenditure of the money would be of the slightest advantage. He might say, without any exaggeration, that during the last three years the fishing on the river had been better than it had been for twenty years before, although the mine had been yielding double and treble the quantity of ore that it used to do. The increased productiveness of the mine had not damaged the fish in the river. The noble Lord he was sure was not well acquainted with the state of matters throughout the country. He remembered a Swiss coming down to Manchester to be teacher of French, in which he was happy to say he succeeded very well. He was very fond of fishing, to which he was accustomed in the rivers of Switzerland; and the first morning after he came down he got up early in order to fish in the stream that ran through the town. With his line, his rod, and his fly he went out, and expected to have a good basket of trout to take home before breakfast. Of course he was very much mistaken—the river was no doubt as black as ink, and the noble Lord would be horrified if he stood on the banks of it. But there were interests concerned in this Bill ten thousand times greater than the interests of the fisheries and the sentiments which the noble Lord represented. If this Bill were to pass the House in its present shape, or anything like its present shape, or if its principle were sanctioned, it would be tantamount to creating a stoppage throughout the country, and would probably end in a revolution of some kind—a revolution from which the noble Lord would not derive either profit or reputation. He (Mr. Bright) thought he would best consult the object he had in view by withdrawing the Bill; for he was sure that the House would never pass a Bill involving such extraordinary remedies as the noble Lord proposed for a grievance the existence of which to a certain extent they were all prepared to admit.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Jackson.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. SELWYN said, few persons in the House had spent more of their time upon and in the Thames than he had done, and, therefore, he was anxious to say a few words on the subject of that much injured river which the noble Lord described as a natural disgrace. His principal object was to urge upon the Government, who were opposed to this Bill, to introduce some measure which would not be open to the same objections. The evils to which the rivers of the country, and the Thames in particular, for which he desired to speak, were exposed arose from two sources—namely, pollution, in consequence of the abolition of cesspools, and diminution, in consequence, of their waters being carried off elsewhere. From the latter evil the Thames particularly suffered. Both evils were continually increasing, and both were matters for which that House was directly responsible. Upon the first he would not dwell, but with regard to the second he would say that it was in consequence of the legislation of that House that the water companies took their supplies from above Teddington Lock, and at present five large pipes were continually employed in its abstraction. Every new house that was built, and every new sanitary improvement in which water was employed, tended to increase that abstraction, and to diminish the volume of water in the Thames. It had been suggested by an eminent naturalist that compensation to the Thames should be made by bringing water from Bala Lake, in Wales. Whether such a scheme was practicable he (Mr. Selwyn) did not presume to say, but in the meantime the improvements in drainage also tended to increase the evil by bringing the rain water into the river all at once, instead of gradually and by percolation through soils of different degrees of tenacity. Several years ago, owing to a *quasi* judicial position which he held with respect to the sports on the Thames, his attention was drawn to the matter, and he had employed some watermen to make observations. It was found that there had been a sensible diminution in the supply of water, and in proportion as the downward flow diminished the upward flow increased it, and the brackish water, which used to come up only as high as Blackwall, had come up to Wandsworth, and even seaweed had come up as far as London Bridge. Taking the difference in time between high water at London Bridge and Richmond, it would be found that there had been an alteration of more than one-third. The impure matter which was poured into the river, instead of being carried down to the sea by the downfall of the river, was now held in suspense. He was glad to say that the attention of Parliament had at last been roused. It was only the other day when it was proposed to take away the waters from the sources of the Thames for the supply of Cheltenham, that the House rejected the Bill. With regard to the measure before the House, the right hon. Gentleman (Sir George Grey) had raised many objections to it, and he was in hopes that the Government would have something to suggest. The right hon. Baronet said that further inquiry was necessary, but they had been inquiring for the last ten years. Let any person go between Battersea and Teddington Lock, and see the state of the Thames at low water, and then let him say whether a single Session ought to be allowed to pass without applying a remedy. Even if they were to go on inquiring they ought to do something in the meantime. He would suggest that without creating new Boards or arming them with new powers which might be thought objectionable, it would be possible to pass some measure—affecting only the Thames, if that were thought advisable—which would interfere with no mines or manufactures and establish no new system of taxation, but would give powers to local bodies at present existing, such powers to be exercised under the direction of the Secretary of State. A measure of this kind would obviate many of the objections which had been raised, and at the same time would get rid of a great many of the evils which were now justly complained of. With regard to the Thames, Richmond, with which he had some connection, was one of the great polluters of the river; but he was sure that the local authorities there, if they had the necessary powers, would at once undertake to remedy the evil as far as they were concerned. In any scheme, however, for preventing the pollution of the river, provision should be made for securing the consent of the authorities who represented the Crown, which had extensive possessions on the river banks. This consent was absolutely necessary, for if the Acts of the Crown were to be interposed many of the projected improvements would become inpracticable ; another essential provision was to give to local authorities the power of borrowing money for the object in view. A short Bill might be passed enabling existing local bodies along the banks of the river to borrow money and erect the necessary works under the sanction of the Government Inspector, and in such a manner as not to interfere in any large scheme which might hereafter be introduced. It would then be seen whether the pollution of the river by sewage was not prevented, and if it were found that the local authorities neglected to take the necessary steps, some more stringent measure might be resorted to. The forms of the House, and the obstacles which independent Members always had to encounter, rendered doubtful the success of any attempt at private legislation; but the subject was of pressing importance, and ought to be dealt with by the Government without delay.

Mr. HIBBERT said, that though his name was on the back of the Bill he fully admitted that its provisions were rather too sweeping. At the same time, as a Member of the Committee of last year, he could not shut his eyes to the fact that it was high time that something should be done to put a stop to river pollution ; and he hoped that manufacturers and persons connected with mines would be willing to view this question calmly and dispassionately. He himself was connected with the manufacturing districts, and he thought that as manufacturers and miners they ought to view the question not only as it affected themselves, but as it affected the health of the great populations who lived on the banks of these rivers. He could bear witness to the great objections that were raised in consequence of the state of the river at Manchester. Though he had not seen the Medlock at, Manchester, in the state described by Mr. Rawlinson, he knew that the nuisance was very great at Manchester, and as the Bridgwater Canal took its water from the Medlock, the nuisance was carried some miles further into the country. So greatly was this felt, that he had even received communication from parties in Cheshire, some miles from Manchester, pressing him to try and place canals under the same restrictions as this Bill sought to impose upon rivers. It had been said that if this Bill passed the mines in many parts of the country, particularly Wales, would be closed at once, but Mr. Ffennell, in his evidence before the Committee, said it was perfectly feasible to prevent a considerable proportion of the impurities which flowed from mines into rivers, without interfering with the proper working of mines, and he gave instances in which, at his suggestion, mine-owners had made filtering beds and had carried out plans with this view, recouping themselves by the value of the refuse thus saved, while the streams remained pure and the fish were no longer poisoned. This evidence showed that much could be done by mine-owners and manufacturers to mitigate the existing evils. It was not to be expected that rivers in the manufacturing districts could be as pure and as placid as some streams now were in purely rural districts. Where industrial processes were largely carried on our rivers must suffer, but there must be some limit to this, and some remedial measure was absolutely necessary. If the noble Lord pressed his Bill he should support the second reading, with the view of referring the measure to a Select Committee; but he would recommend the noble Lord not to press the measure, and having brought prominently under their notice the crying evils which now existed, to leave the responsibility of legislation with the Government.

MR. ADDERLEY said, he did not think that the House had as yet taken up that subject with a vigour and an earnestness proportioned to its importance. The most conclusive evidence had been adduced to show that the pollution of our rivers had a deteriorating effect on the health of our population, that it was rendering our meadows deleterious to cattle, and that it entailed no inconsiderable loss by the destruction of fish. He was glad to find that the hon. Member for Birmingham, yielding to the love of sport which was common to the Anglo-Saxon race, had given due weight to this point, though he quite agreed with him that it must yield precedence to more important considerations. The Prince Consort once expressed the opinion that, after a few years, it would be deemed incredible that a practical nation like this should have allowed that which was so essential for the restoration of the land, and which was of the utmost fertilizing value to the soil to pass down our rivers into the sea, to be eaten by sea birds, deposited by them upon rocks, and fetched back as manure at a cost of £10 per ton. He thought the noble Lord was quite right in introducing this question to the attention of the House, with a view to legislation on the subject, and he considered that the noble Lord deserved the thanks of the country for the way in which he had grappled with a subject, which excited great and growing interest throughout the country. Some persons had taken it up with a view of obtaining considerable pecuniary advantage, but the noble Lord had not moved in the business from any merely selfish interest, but had dealt with it on public grounds as affecting great interests of the country. He had made the question his own, and it must have cost him no little time and money to produce the Bill before the House. At the same time he (Mr. Adderley) must say that when he came to view the details of the Bill he was inclined to ask the noble Lord to allow this Bill to be withdrawn, resting contented with the way in which he had opened the subject, and so compelled the Government to introduce a measure which might prove more practical. All parties agreed that something must be done—first, for the utilization of this great national property which was now being wasted, and secondly, for the prevention of the pollution of streams. The only existing Act on the subject was the Local Government Act, which he had himself passed when in office in 1858, and which was imperfect, as dealing with extensive operations outside towns, and was only in advance of the Local Health Act of 1848. What was now wanted was an extension of the Act of 1858. Power should be given to all towns of a certain magnitude to carry large sewage drains to a distant outfall. The statute law was ineffective against the nuisance, and the only remedy in this matter was at common law. He had himself obtained an injunction against the town of Birmingham for polluting a stream in which he was interested, but it was not to be expected either that individuals or even that a corporation should take upon themselves the trouble of dealing with all such cases. If they were willing to do so another difficulty arose, because a river or stream was in all probability polluted not by one but by many towns, so that proceedings would be necessary against a nuisance arising in several parts of an extensive area. What was wanted was a simple Bill empowering the local authorities of towns situated upon any river to unite for preventing the pollution of the river over the whole district with which they were connected. In that way the extensive machinery proposed by this Bill would be avoided, together with the cost of working it, and under the Board of Health Act there would be in each case a local body ready to hand. They had the opinion of Mr. Tom Taylor, of Mr. Rawlinson, and of Dr. Acland, the Regius Professor of Medicine at Oxford, that such an immediate remedy ought to and could easily be applied. He should be glad to see a Bill introduced by the Government, simple in its provisions, and direct in its operation. A body would thus be created the constituents of which would always be at hand, and under which action could be taken without great cost. Every town and village had some local authority under the Board of Health Act, and the then existing power would only have to be brought into co-operation. He thought the present Bill was objectionable on account of the machinery which it proposed to create in places where it was not, as well as where it was wanted, and because it would impose an entirely new kind of taxation, the collection of which would be most unequal and uncertain. He could not give his vote for the second reading, though he should be glad to see another Bill introduced. The only argument for delay was that there was not yet unanimous consent as to the best mode of utilizing sewage. He thought, however, that if the noble Lord accepted the offer made by the Home Secretary to withdraw his first Bill in order that his second might be adopted, he would, in that second Bill, gain a great step, and the time devoted by him to the subject would not have been wasted.

Mr. LEVESON GOWER instanced the case of certain institutions in the town of Reigate, with which he was connected, being greatly inconvenienced by the pollution of the river on which they were dependent for their supplies of water. He, therefore, thought it was of the utmost importance that immediate steps should be taken in the way of legislation upon this matter. From day to day this evil was increasing, injuring health and seriously interfering with the rights of property; and if the noble Lord opposite should determine upon going to a division he (Mr. Leveson Gower) would vote with him, although he did not agree in all the details of his measure.

Colonel EDWARDS said, when he saw the Bill upon the paper of the House he came down with the intention of supporting it. That intention was much strengthened by the very able and eloquent speech of the noble Lord; indeed, a more eloquent speech he (Colonel Edwards) had not heard for some time. Nevertheless, from the tone of the House, it was clear that if the noble Lord proceeded with his Bill he would have no chance of passing it in its present state. He would, therefore, entreat of the noble Lord to withdraw his first Bill, and trust to the pledge given by the Government that they would introduce a measure on the subject at no distant period. On coming down to the House this morning he was under the impression that this Bill related solely to the utilization of the sewage, but he found that the noble Lord asked for very much larger powers than the House was disposed to grant. This was a matter that was of great interest to him and his constituents. The staple trade of Beverley principally consisted of tanneries, and there was a great difficulty in obtaining an outfall for the refuse of those tanneries. The only way in which it could be obtained at present was by means of a canal having connection with the Humber. The question involved not only the interests of agriculturists, but also those of manufacturers. It was, however, stated that it would be impossible to impose the provisions of this Bill upon the country, as they would have the effect of stopping up all the mills of Yorkshire and Lancashire. Although very favourable to any measure that would purify the rivers from their present state of pollution from the filth discharged from the manufactories in these counties, any legislation coming suddenly into operation might be attended with great inconvenience to the millowners, and, in fact, stop the mills altogether for a time. He confessed he could not support the Bill in its present shape.

Colonel SYKES said, it was evident that something must be done to remedy a fearful evil that was accumulating in its magnitude every day. Were they to consider the health of the whole population or the manufacturing and industrial interests of certain classes? It was only the other day there was a Bill before the House by which the people of Cheltenham asked for power to divert the source of the Thames down to them, because they could no longer obtain wholesome water from their own river. As regarded the present measure, he had seen a paper which had been sent from the mining districts, in which it was stated that if this Bill passed it would have the effect of destroying the mining interests of the country. It would not do to allow this, as we were greatly indebted to our mining interests. Some of the clauses of the Bill, however, were extremely valuable, and ought to be taken either by the Government or some private individual. He recommended the noble Lord to accept the proposition of the right hon. Baronet the Home Secretary; but if he should determine upon dividing; he (Colonel Sykes) would divide with him.

Mr. FERRAND said, as his name was on the back of the Bill he wished to make a few remarks. Like the hon. Member for Oldham (Mr. Hibbert) he had served diligently on the Committee of last year, and he was certain that no Member of it could hear the evidence before it without being convinced that it was the duty of the Government to take some steps immediately to put a stop to the fearful state of things that existed in the pollution of our rivers. He was not before aware of the very stringent character of some of the clauses of the Bill, and he joined with some of the hon. Members who had recently spoken in thinking that the noble Lord would act wisely in withdrawing this Bill, and trust to Her Majesty's Government introducing an effective measure, either in this or the next Session, to remedy the evils complained of. He could assure the House that the manufacturing interests were as anxious for the passing of some such measure as the agriculturists. In his own neighbourhood he was surrounded by manufacturers, all of whom were desirous of some stringent measure to stop the pollution of our rivers. Amongst the witnesses who gave evidence on this subject was a gentleman of the name of Craven, one of the principal manufacturers of Keighley, who was opposed to him (Mr. Ferrand) in politics. That gentleman mentioned a curious fact, that the Worth, the river of the town, was much polluted and interfered with in its course by the quantity of ashes and other refuse poured into it by persons connected with the local Board of Health. The consequence was a very offensive stench in the town, particularly during the hot weather. The witness further stated that the bed of the river had risen four or five feet within the last four years, and the medical men in the town had declared that such a practice was highly injurious to the health of the inhabitants. It was also given in evidence that a large manufacturer having taken steps to stop the pollution of this stream was accosted by the Chairman of the local Board of Health, who, on legal proceedings being threatened if the nuisance was continued, pitched a large tub of ashes into the river, saying, "You may now go to law if you like." Unless steps were speedily taken by Parliament to stop the pollution of rivers and streams some epidemic, he felt certain, would break out in Yorkshire and the other manufacturing districts, which would sweep off great numbers, sparing neither rich nor poor in its devastation. The town of Leeds had their water from the valley of the Wharfe, and, besides other pollutions, four churchyards drained into the river, and the House might judge what was the effect of that upon the health of the inhabitants. Steps ought to be taken, and that immediately, for putting a stop to the drainage of churchyards into rivers. Sewage was very valuable for agricultural purposes. Two large villages in his neighbourhood had used it to great advantage, and he could assure the House there was not the slightest smell from it in the hottest weather. Formerly wool-combers carefully preserved the soapsuds, instead of allowing them to run to waste into streams. A drain was made, which conveyed the soapsuds to the manure heap, and they were in that way used for agricultural purposes. But of late years a different system had prevailed. The manufacturers had discovered the means of extracting the soapsuds by means of vitriol, and the consequence was that they were collected in large pits or ponds, and they became so putrid that when the process of extraction was going on the stench was so horrible that it was frequently smelt a mile off. The same practice was being adopted in towns, and it was high time that some means should be taken of putting an end to the practice. In many of the streams fish could not live, and the cattle would not drink the water. The water which was the source of the river which supplied the town of Leeds had lately been conveyed to the town of Bradford, a distance of thirty-two miles, to provide the inhabitants with pure water, the river which ought to supply the latter town being polluted by the manufacturers. He agreed with the noble Lord that it was high time that steps should be taken to stop the pollution of rivers and streams, in order to prevent serious consequences arising prejudicially to the health of the people.

MR. LOCKE expressed his thanks to the noble Lord for bringing in the Bill. It was obvious that but for this Bill the House would have heard nothing of a Government Bill. During the last Session the Government did make a small attempt in the right direction, and that was with regard to the River Thames. He was on the Committee on the Thames Conservancy Bill; and into that Bill was introduced a clause by which it was proposed to enact that for the future no increased quantity of sewage should be emptied into the Thames. On that occasion the hon. Member for East Surrey proposed an Amendment, excepting Kingston-upon-Thames from the operation of that clause. He (Mr. Locke) entered the House just as the Amendment was about to be carried, because hon. Members did not seem to be aware of the obnoxious nature of the exception. He opposed it; and the House, taking his view of the question, rejected it. But the Bill went to "another place;" and there it was found out that, according to some rules, or regulations, or standing orders, the clause was one that ought not to pass, but that it should be embodied in some measure for general legislation. Parliament has sanctioned the expenditure of £4,000,000 of money to purify the Thames from London sewage, but did not object to all the sewage of towns in the upper part of the river being emptied into the stream with impunity. If the clause to which he had alluded had been passed any increase of the filth emptied into the Thames would have been prevented. The Government did not introduce the measure for general legislation, into which it was proposed to introduce the clause. But the Thames Conservancy moved in the Court of Chancery for an injunction against the local Board of Health of Kingston to prevent their carrying out those works, and emptying their sewage into the Thames. What was the result he did not know, for the case was to have been argued in Michaelmas Term, and he did not know whether the argument had come off. The right hon. Member for North Staffordshire suggested that greater power should be given to local Boards of Health; but any provision for that purpose would only be a perfect mockery, unless accompanied by another provision compelling them to use the power. Much had been said by the manufacturers of the north as to their being ruined by Acts of Parliament. He would say a little on that point. The manufacturers in the north had prevented a Smoke Bill being passed for the north, though they were willing enough to have the experiment tried *in corpore vili*, namely, in the metropolis. And certainly in their own districts they were smoked to their heart's content. He would take Wakefield, a town notorious enough in every respect. There was a question lately as to whether the assizes should be held at Wakefield or Leeds. From what he had heard to-day it did not appear that there was much to choose between them in point of salubrity. So smoky was the atmosphere that two or three miles from the town a peach became a speckled peach, and a blade of grass polluted the hand that pulled it. And such a state of things was to be submitted to in order that the manufacturers of the north might not be ruined. Had the metropolitan manufacturers been ruined? Had they not rather profited by having been compelled to consume their own smoke? No doubt there might be some inconvenience at first, but *nolens volens* they were obliged to submit to it. The metropolis always appeared to be the place selected for experiments because, he supposed, the influence of its example was irresistible. Of the inconvenience arising from the liquid portion of the refuse of manufactories no one who had spent any time in the north of England could doubt. Now, the manufacturers in the north state that they would be ruined if they were prevented polluting the running waters throughout the country. The hon. Member for Birmingham (Mr. Bright), who represented a very smoky and a very water-polluting place, and the hon. Member for Newcastle-under-Lyne (Mr. Jackson), said that if this Bill passed it would be ruin to a class—a class that was the backbone and sinew of the nation. The honourable Member behind him (Mr. Hibbert) had shown that a Bill going in the same direction would have the same effect on manufacturers in the north that the Smoke Act had had in the metropolis, namely, that they would be gainers by it. This Bill, however, would not be likely to pass, as everybody objected to it. The arguments against it had not convinced him. If it did pass, the noble Lord would confer on a vast number of manufacturers a benefit in spite of themselves. He sincerely hoped that, if the Bill did not go to a Committee, the Government would give their immediate attention to the question. As far as the Thames was concerned, he emphatically called upon them to legislate this Session in the direction in which they had attempted to legislate last Session in the Bill for the Thames Conservancy, and, at all events, to free the largest river in this country from that pollution to which it had so long been subjected.

Mr. W. E. FORSTER acknowledged that the noble Lord who brought in the Bill had shown by his eloquent speech that he had completely mastered the subject, and had exhibited to view a great evil, of which they were all perhaps aware previously, but not so well aware. The noble Lord came forward with a Bill, the main provision of which had for its purpose to divide England into several new districts and boards, and that provision was not approved by any one except the noble Lord himself. It was disapproved even by the hon. Member for Oldham (Mr. Hibbert), and the hon. Member for Devonport (Mr. Ferrand), who approved the object of the

Bill. It might be said that the noble Lord should have brought forward a better Bill, but he did not blame the noble Lord on that account, but the difficulty of the subject. It could only properly be dealt with by the Government. The evil arose from two causes—the vast increase of the population and the throwing of manufacturing refuse into the streams. The noble Lord, he thought, would admit that the first was the larger source of the evil. But the evils which the noble Lord had described as arising from the intermixture of sewage and the refuse of manufactories with rivers might be made worse by hasty legislation. Did not, for instance, the worst, probably, of the evils now complained of result from hasty legislation in the prohibition of the use of cesspools? He was as anxious as any one for the adoption of every means for preventing smoke in towns and the pollution of streams that could be adopted without putting a stop to the industry of the districts, and no doubt much could be done. The hon. Member who last spoke compared manufacturing towns with London, forgetting the great difference in the nature and price of coal used in the respective places, the coal in the manufacturing districts being more smoky and cheaper. It was all a question of money, of how much cost could be imposed on trades injurious to the beauty and health of the country without stopping them. Perhaps the present discussion might enlighten them as to the principles on which some measure on this subject must be framed in future, for he acknowledged that matters could not be allowed to go on as before, but that they had come to a point when something must be done. The debate on the present occasion had not been carried on as a dispute between anglers and the manufacturers, but as a discussion in reference to the health of towns, and upon that principle he thought they might, having due regard to vested interests, lay down this rule — that the evils referred to ought to be removed when they could be prevented by manufacturers at such a reasonable cost as would not put it out of their power to compete with foreign countries and would not stop their trade. If the House went further than that, it might stop the trade of the country by restrictions. The people in the northern manufacturing towns might be uncomfortable, but it should be recollected that were it not for manufactures there would be no people there at all. If it were not for the smoke of Leeds and Bradford the present population of those places would not be in existence. If they gave the local Boards of Health such powers as would enable them to act as private individuals could, and compelling them in certain cases to act, he thought that would be sufficient. At all events that was the direction in which they ought to act, and to look for a remedy. As to the mode of carrying out that principle, he did not think that in a discussion like the present they could point to more than general provisions. It was useless to attempt to divide the country into new districts. The old districts must be taken, and more power might be given to the present local Boards and town councils, if they had not sufficient already. He thought that would be quite sufficient for the purpose. He believed the result of the discussion would be that the Government would feel that that matter could not remain as it was, but must be taken up by them.

MR. LIDDELL was afraid that if the Bill were absolutely rejected the erroneous impression would be created that the House was appalled by the extent of the difficulties and the magnitude of the cost incident to the carrying out of the object of the measure, and was unable to grapple with the question. He (Mr. Liddell) quite appreciated the magnitude of the difficulties by which the subject was surrounded, and admitted that the measure contained a gigantic scheme of local taxation to the extent of which sufficient importance had not been attached. He was quite alive to the objections taken to the construction of districts, and to the difficulty of managing large districts by elected Boards, for that had been clearly shown under the Highway Act. Formidable as those difficulties no doubt were, he believed they might be overcome with perseverance; and he would, therefore, urge his noble Friend not now to press his Motion to a division, but to continue his praiseworthy efforts in the direction he had taken, and follow them up by further inquiries. True, they had a vast amount of evidence before them as to the pollution of rivers, but it was chiefly confined to the subject of sewage and its utilization, and he doubted whether they could settle the great question of the purification of rivers with the evidence they possessed. Great advantage would arise from the appointment of a Committee on that subject. Some of our rivers were polluted at their very sources by deleterious elements; and by the system of artificial land drainage which had been going on with such success and benefit to the country at large for many years the natural sources of our wells had been diminished and destroyed. In his own county there were large districts which by the system of mining, and by artificial land drainage, were now deprived of their water. He lived in the vicinity of a town which had spent large sums of money in bringing water from a distance, and whose supply was inadequate with a river flowing through it. They might talk of the pecuniary interests at stake in this question, but surely these were not to be weighed in the scale against the sanitary considerations it involved. The question of water supply had been pressing itself strongly upon their attention lately, and it was necessary that the water of our rivers should be freed from pollution, in order that it might be rendered useful to the population located on their banks. Rivers were never intended to be sewers, and health ought not to be secondary to utility. The health of man ought not to be made subservient to the cupidity of man, and therefore he held that the first object of the Government should be to preserve for the people an adequate supply of such a necessary element as pure water. He was not disposed to blame the Government for not dealing with the subject before, because the difficulties were great, but he thought the time was now come when something must be done. A right hon. Gentleman (Mr. Henley) said the other night he thanked God there was no tax upon water; but they could not impose a heavier tax on the people than by poisoning that which was essential to their existence. With regard to the evil of smoke, there were two kinds of smoke — wholesome and unwholesome— and efforts had been made, even by the manufacturers themselves, to relieve the people from the latter. The manufacturers were beginning to find out that by better processes for consuming fuel a public nuisance was prevented and a saving to themselves effected. He could not join his noble Friend in his rather hard attack on the Government for not dealing with the subject of his Bill. Not one, but all Governments had hitherto been deterred by its difficulties, and advantage might, moreover, be gained by not dealing with it too rapidly. The interests involved were so gigantic that it was only with the greatest caution they should venture in the desired direction. In the mining districts which he represented, the proprietors, he believed, to a large extent would be disposed to assist every reasonable effort made for that object. With respect to what had been said about fishing, there was no more correct barometer of the condition of a river than fish; and if a fish was unable to live in a river, they might depend upon it the water must be deleterious to man. In conclusion, he hoped the Mover of the Amendment (Mr. Jackson) would not press it to a division, as by that course he would not gain his own object and would create a false impression out of doors.

Sir FRANCIS GOLDSMID admitted the existence of the evil against which the Bill was directed, but thought that in describing it the noble Lord had somewhat over-coloured the picture. While believing that the evil was capable of remedy, he was yet convinced that a remedy was not even approached by that measure. It was wrong in principle, because it superseded and ignored almost every right of property for the purpose of purifying rivers; and with the enormous powers proposed to be given to the new Boards, those bodies would better deserve the name of oppressing than that of "protecting Boards." By the 35th clause they would be enabled to divert the course of streams and arbitrarily to alter the aspect of the property on their banks; while under the 38th clause—without the consent of landowners—they might enter lands and deposit refuse of any kind to lie on the banks, so as to create nuisances when their proper function should be to remove them. Thus the banks of rivers might be rendered even less inhabitable than the worst parts were now. Instead of having Boards wandering all over the country armed with powers infinitely more stringent than those given to railway companies, and invading the land of every one who had the misfortune to have a stream flowing through it, the true remedy would be to enforce and perhaps in some instances to improve and enlarge the existing legal rights, the exercise of which might tend to the greater purification of rivers.

Sir GEORGE BOWYER said, that if the present attempt at legislation was not successful its failure would be due, not to any lack of industry or ability on the part of the noble Lord—who was entitled to the thanks of the country for having proposed something—but to the inherent difficulty of the subject. They constantly heard of inquiries and investigations before Commissions and Select Committees, but what did they generally produce except immense Blue-books, which nobody read? But now they had a Bill before them, which had at least produced a very important and valuable practical discussion. The powers given by the measure were, no doubt, very extensive and perhaps greater than the House should assent to, and it might be that the noble Lord would do well to withdraw the Bill, leaving the matter for future consideration. But one of the greatest difficulties of the question was that, while everybody acknowledged the evil, nobody, whether miner, manufacturer, or any one else, chose to be interfered with in the attempt to remedy it. The hon. Member for Birmingham (Mr. Bright) even went as far as to maintain that a river must be allowed to become as black as ink, exhaling a pestilential smell, because any cure for that state of things would inconvenience the manufacturer. A remedy might surely be hit upon which would not interfere with the manufacturer more than ought to be done. The hon. Member for Birmingham was rather hard upon the fishing element, and seemed to think that was a question between the fisherman and the manufacturer. He was told that that hon. Gentleman had attempted to catch a salmon, but had tumbled into the water, and instead of his catching the salmon the salmon was very nearly catching him. Whether that had had any influence in making the hon. Member take an unfavourable view of the interests of fisherman and fish, he did not know; but that was a great question not merely affecting the productiveness of rivers in fish—a very important point—but effecting the health of the people. Our rivers ought to be protected from becoming no longer an ornament and a source of wealth and comfort to the country, but a nuisance. The subject might, he thought, be dealt with in a more manageable form. The remedy that suggested itself to him need not be attended with any considerable delay. A Bill might be passed forbidding the governing bodies of all towns upon navigable rivers, or on certain rivers mentioned in the Bill—which would naturally be those that were public and most important—from emptying their sewage into those rivers. That could not be objected to, because it was a prohibition of the common law of the land, for he apprehended it was at common law a nuisance to empty any filth or refuse into a public river. But the Attorney General ought also to have power, and it ought to be his duty, to proceed against the corporate bodies of these towns for committing that nuisance; and the Bill should take effect, not immediately, of course, but from a certain date. Those corporate bodies would then be obliged to look about for some other means of disposing of their sewage—a thing of no great difficulty, since sewage was valuable—and would put themselves into immediate communication with the neighbouring landlords in order to have it used for agricultural purposes. That would not do away with all the evils against which the noble Lord's Bill was aimed, but it would be a step towards it. He should be sorry to see that great question delayed in all its parts by further inquiries. They now knew about as much of it as they ever would know. Indeed, the difficulty was that they knew too much; and if they waited for more of those ponderous Blue-books, which no man looked into, they would find themselves precisely where they were. He therefore wished to impress on the Government the necessity of taking some practical action for remedying even a portion of the existing evils; and he agreed with the hon. and learned Member for the University of Cambridge (Mr. Selwyn) that the Thames—our principal river—deserved the special attention of Parliament and should be selected first, not on the principle "*Experimentum fiat in corpore vili,*" but because it was the most important case in which the experiment could be tried. The state of the Thames required an immediate remedy, and he trusted that the Home Secretary would bring in a Bill for that purpose. By taking that course, and also introducing another Bill to enforce the principles of the common law, the Government would entitle themselves to the gratitude of the country; and he hoped the House would have an assurance from them on those points before the discussion closed.

MR. AYRTON had read the Report of the Committee which sat two years ago on the subject of town sewage, and trusted it would not be concluded that if it rejected that Bill the House did not intend to do anything in that matter. He hoped the House would do all it could do under present circumstances, and he thought it would be proceeding safely if it adopted the course proposed by the Home Secretary. The Committee came to the conclusion that the real difficulty in dealing with the sewage of towns was this:—That the local authorities had all the power to carry on their internal arrangements and to deliver the sewage to an outfall, but that when it got to that outfall their powers ended, and consequently they endeavoured to get rid of it by discharging it into the river; that when they tried to dispose of it elsewhere they found themselves in the presence of landowners who were not bound to take it, and who were inclined to think that if they did take it they would be conferring a boon on the local authorities rather than securing something valuable for themselves, for which they ought to pay. The first step, therefore, towards progress in this matter was to afford towns some means or other of applying their sewage to the lands adjoining, with the concurrence of the landowner, if he would agree to it; but if he would not agree, then in spite of his opposition. He hoped the noble Lord would withdraw this Bill, and allow the House to proceed with his other measure, which was of a really practical character, on that subject. The effect of the present Bill would be that occupiers of property would be at liberty to incur any amount of charge which they pleased, and the owner, who would have no voice in the matter, would have to pay. He trusted the House would not entertain such views by even reading the Bill the second time, but would proceed to the accomplishment of objects connected with the health of towns and the application of sewage to agricultural purposes by passing to the second Bill of the noble Lord on those subjects.

Sir FITZROY KELLY considered that they were deeply indebted to his noble Friend for having submitted this Bill to the House, and thus bringing under the consideration of the country one of the most important measures which had been before them for very many years. It appeared there were now large quantities of land entirely unproductive, which would be rendered fertile by sewage being used upon them. If this was established, upon this ground alone a case had been made out. But if to this there were superadded the fact that they would purify the rivers of the country, and that a large sum, estimated at many millions, could be realized, the importance of something being done could not be exaggerated. He concurred in recommending the withdrawal of the Bill for the present, and for his noble Friend to content himself with submitting to the House the next Bill of which he had given notice. If that Bill were followed by a Select Committee he hoped that the question would be advanced as far as possible towards a settlement in the present Session. If the noble Lord were supported, as he could not doubt that he would be, by the Government and the House in his further efforts, a reasonable hope might be entertained that within some two or three years at most they would have in operation a series of measures for the purification of their rivers, the utilization of their sewage, and the cultivation of vast quantities of land now lying entirely waste.

Mr. HENLEY tendered his thanks to the noble Lord for bringing the question forward, and for the time, pains, care, and ability which he had bestowed upon the subject; and he did this with the more pleasure because he believed that he had been instrumental in inducing the noble Lord to go deeply into the matter by getting the House to pass an Instruction to the noble Lord's Committee directing it to inquire into the pollution of streams. He thought they were indebted to the noble Lord for the courage he had displayed in laying a Bill upon the table of that House so as to get a good discussion upon it, by which not only the pulse of the House but the pulse of the country might be felt. They had to ask themselves, in the first place—Is it necessary to do anything? The discussion showed that the universal opinion was that there was a necessity to act. The next and most important question was—Is this to be done by compulsory legislation or by enabling legislation? That the Government would have to decide. He did not join in throwing blame upon the Government. He considered the subject a vast and difficult one, and he did not think with the hon. Member for Dundalk (Sir George Bowyer) that inquiry was exhausted upon it. Another very important matter before the House would throw great light on this question—the fact that the sewage of the metropolis was, he might almost say, being fought for; and in the discussion thus provoked they might expect much fresh information. It was plain that the noble Lord, who had paid more attention to the question than any one, did not think it exhausted, because he had given notice to move the renewal of inquiry this year. The sewage of the metropolis was now being, in a manner, fought for. Its value had been estimated by one body at something like £1,500,000 annually, and by another at a comparatively few thousands; and after the discussion which the matter underwent at the hands of those bodies some sparks of light might be struck out in the Committee which would make the whole question clearer. If it should turn out that there was a money value in this article, then the hon. Member for the Tower Hamlets (Mr. Ayrton) need be under no apprehension upon that point, because if there were a money value to sell there was also a money value to buy. Not many years ago it was the opinion of chemists generally that everything put into the land for the purpose of enriching it should be in the shape of solids. The deodorisation system was consequently tried upon the sewage, but the residuum turned out to be utterly worthless for agricultural purposes. It was now found out that sewage was just as valuable in a liquid state as in any other, and that the earth took the best part of it to itself without the assistance of chemists or any other person. In conclusion, whilst again thanking the noble Lord for the course he had taken in this matter, he trusted that he would take the advice of the House generally, and withdraw his first measure. If his noble Friend should find it necessary to re-introduce it, he (Mr. Henley) thought that he ought not to seek to pledge the House to the compulsory principle, but would leave that point open for further discussion. The subject was one of the deepest importance. He did not think that the hon. Member for Bradford (Mr. W. E. Forster) had laid down quite a good principle. He (Mr. Henley) thought that the old common law principle was the right one, namely, let every man so use his own individual rights as not to injure the property or interests of his neighbour. If, for example, a man discharged his sewage in the earth he would not injure his neighbour in any way; but in order to get rid of a nuisance to himself he should not throw his sewage into a river to the serious detriment and inconvenience of other.

Lord ROBERT MONTAGU, in reply, must express the great satisfaction he felt with the course of the debate. He could not refuse to follow the advice which had been given him by hon. Gentlemen on both sides of the House, but he desired to make a very few observations with reference to two or three objections which had been urged against the Bill. The right hon. Baronet the Home Secretary had censured him for taking up so much time in quoting evidence to show the extent of the evil complained of, because, he said, all the facts had been ascertained long ago. On this point the right hon. Gentleman enlarged considerably, and rested the main part of his argument on the first half of his speech; and yet, towards the close of his speech, the right hon. Gentleman said that much more inquiry was necessary, and supported by arguments drawn from this assumption all the latter portion of his speech. He could not help thinking the right hon. Baronet was thus pointing to the course he intended to pursue—namely, appointing a Commission. This would have the effect of shelving the subject for the next ten or twelve years; while, on the contrary, a Commission, in order to report within a short period, would occasion enormous expense in the large staff of clerks, surveyors, and others necessary to complete the work in so short a period. The Committee had already fully considered the whole question; and, although he had himself given notice of a Motion to revive the Committee, he had privately explained to the right hon. Baronet that there was only one minor point on which he wished for further evidence. He understood from eminent chemists that a very easy and cheap process had been discovered by which water might be purified from the refuse of manufactories and mines, and he thought it would be a great pity if the nation were not put in possession of these facts. He had also learned that Baron Liebig was very anxious to be examined, and he could not help feeling that it would be very desirable to have the evidence of so great an authority on this subject. The right hon. Baronet had objected to some of the provisions of the Bill, as much too stringent in their character; he said this Bill would make it penal to throw a stone into a river; but the Home Secretary was himself to blame on this score, for some of these clauses were taken from Bills for which he was himself responsible—such as the Rivers Pollution (Scotland) Bill of last year, and the Mersey and Irwell Protection Act of 1862. The Home Secretary had very unfairly endeavoured to change the issue, and had asserted that the case rested entirely on the value of sewage, which was much disputed. But he (Lord Robert Montagu) had argued the whole case, not so much on the value of sewage as on the absolute and urgent necessity of purifying our streams and rivers. The Home Secretary had also tried to frighten the House with a bugbear in repeating so often the phrase "enormous power of the Inspectors." The powers proposed to be given to the Inspectors under this Bill were not greater than those possessed under the Poor Law Amendment Act, 1834, the Health of Towns Act of 1848, the Local Government Act, and the Land Inclosure Act. It had been said by his right hon. Friend the Member for South Staffordshire (Mr. Adderley) that the proper remedy would be to give greater power to existing local Boards, rather than to Watershed Boards; but those local Boards had no united action, which the Committee had found to be absolutely necessary. Under this Bill united action would be attained; besides, those local Boards were themselves the culprits, and therefore would afford us no protection against the injury. His hon. and learned Friend the Member for the University of Cambridge (Mr. Selwyn) had suggested that before such a Bill as this was passed the experiment should be tried on the valley of the Thames alone. In 1862 the experiment was tried in the case of a single river. When the Mersey and Irwell Bill was brought forward they were told it was unjust to introduce partial measures; there ought to be a general Act. It was opposed, because it applied to one river that which they said would be most beneficial if extended to the whole kingdom. As stated by his right hon. Friend the Member for Oxfordshire (Mr. Henley), there was an absolute necessity for some legislation on this subject. He had endeavoured throughout the winter to persuade the Government to do something, and it was only after he found that impossible that he had determined to move in the matter himself. He did so, not because he thought he should be able to carry this Bill, but because he thought that was the only way to force the Government to do anything. However, he quite accepted the right hon. Baronet's proposal that this Bill should be allowed to drop, on condition that the Sewage Utilization Bill was read a second time.

He should, therefore, on that condition, with the permission of the House, withdraw this Bill.

Amendment, and Motion, by leave *withdrawn.*

Bill *withdrawn.*

SEWAGE UTILIZATION BILL—[Bill 4.]

SECOND READING.

Order for Second Reading read.

Moved, "That the Bill be now read a second time."—(*Lord Robert Montagu.*)

Sir GEORGE GREY said, he entirely concurred in the principle of this Bill, which, as he understood it, gave additional powers to local bodies. The details of the Bill would require great consideration, and he thought them susceptible of great amendment. The proper course would be to refer the Bill to a Select Committee. He might be allowed to say, with reference to what had fallen from the noble Lord, that he had passed no censure on him whatever. He had only expressed his regret that so much time had been consumed in proving an evil as to the existence of which they were agreed, the only difference of opinion being in regard to the remedy to be applied. He had not intended at all to blame the noble Lord; on the contrary, he thought he deserved commendation for the great attention he had paid to the subject, and he should be very happy if his efforts led to a practical measure. The noble Lord complained of the inactivity of the Government, but he might remind the noble Lord they had not been altogether inactive. The Lord Advocate last Session proposed a very stringent Bill with regard to Scotland, and at first he was sanguine of being able to carry it; but he soon found that would be impossible, because the question was dealt with in a large and comprehensive manner affecting numerous and important interests. They must proceed step by step with great caution, and in that way they might hope to accomplish some good.

Lord ROBERT MONTAGU was sorry he had misunderstood the right hon. Baronet. He quite concurred in the propriety of referring this Bill to a Select Committee.

Mr. F. S. POWELL said, that power ought to be given to local Boards to carry the sewage beyond their respective boundaries. The discharge of sewage in large masses must be injurious, and care should be taken to guard against any mischief that might ensue therefrom. He also pointed out some other defects in the Bill relative to the difficulty attending local Boards carrying out its provisions, defalcation of contractors, &c.

Motion *agreed to.*

Bill read 2°, and *committed* to a Select Committee.

PRISONS BILL—[Bill 15.]

SECOND READING.

Order for Second Reading read.

Sir GEORGE GREY understood there would be no opposition to the second reading of this Bill. It was very desirable that the Select Committee, to whom it would be referred, should meet at the earliest period and go through the details. Any further discussion on the Bill might be taken after the Committee had reported. He would undertake to give immediate notice of the names of the Committee.

Moved, "That the Bill be now read a second time."—(*Sir George Grey.*)

Mr. DARBY GRIFFITH had certainly expected to hear from the right hon. Baronet some explanation of the course he was going to take with regard to Abingdon Gaol.

Sir GEORGE GREY was sorry he had not communicated to the hon. Gentleman, as he had to one or two others, the course which he intended to adopt. The question with regard to Abingdon Gaol could only be raised in Committee and not on the second reading, and there would be an opportunity to discuss it when the Bill came back from the Select Committee, when any alteration might be made in the Schedule. The hon. Gentleman or any other Member might, when the Bill came back, move that Abingdon be added to the Schedule, and he would take care that every information should be given to the House and the Committee on the subject. He hoped that explanation would be considered sufficient by the hon. Gentleman.

Mr. DARBY GRIFFITH did not think it at all sufficient. What he asked was that Abingdon should be restored to this Bill as it stood in the Bill of last year. It had been placed there on the recommendation of the Government officers, and the right hon. Baronet had removed it on clandestine, *ex parte*, and inaccurate representations conveyed to him at a very critical period in the history of the Government. No pledge was given to restore Abingdon to the Schedule, and the Order of Reference would not enable the Committee to do so. The conduct of the right hon. Baronet laid him open to the imputation of having consulted party interests and private feelings in this matter. On the 8th of July last year a very trying division took place in that House, and in a few days afterwards the hon. Member for Abingdon wrote a flaming letter to his constituents, in which he said that he had prevailed on the right hon. Baronet to withdraw Abingdon from the Bill. Why had the right hon. Baronet made that alteration without communicating with his own Inspectors?

Sir GEORGE GREY would only say one word in answer to the hon. Gentleman. He was very sorry to have incurred his displeasure. He could not help it, and must submit to it. The hon. Gentleman was totally misinformed as to his having acted on any private representations. He had a statement from the hon. Member for Abingdon, and a statement from Mr. Merry, one of the strongest advocates for the abolition of Abingdon Gaol. He had also a personal interview with him on the subject. [Mr. Darby Griffith: When was that?] He thought in January last. The hon. Gentleman was equally mistaken in stating that any private remonstrance from his hon. Friend the Member for Abingdon had caused the omission of Abingdon Gaol last year. The Bill was withdrawn, and he gave him no intimation of any change, publicly or privately.

Mr. BARROW was deeply sensible of the necessity of improving the discipline of our gaols, and he hoped all the clauses of this Bill would be most carefully considered.

Mr. NORRIS would not follow the example of the hon. Member for Devizes in going into details on a merely local question. He might, however, state that among the magistrates there had been at various times ten different divisions on the subject. Of these, two had occurred in 1859, when thirty-one voted against twenty-eight, the majority being in favour of the removal of the gaol. In four divisions the majority was the same way. In six divisions the majority was in favour of the continuance of the gaol. In the last division thirty-one magistrates voted one way, and thirty the other. He was quite satisfied the feeling was in favour of the continuance of the gaol.

Mr. WALTER thought the House must already have perceived, from the discussion which had taken place, that this question could only be properly considered before the Select Committee. It involved matter of considerable detail; a good deal of documentary evidence must be gone into; and he did not think he should be doing his duty towards the object he advocated—namely, the abolition of Abingdon Gaol—if he attempted to go into the matter on an occasion like the present. He had communicated with his right hon. Friend the Home Secretary on the subject, and at his (Mr. Walter's) own suggestion it was proposed the matter should be fully gone into before the Select Committee. If the conclusion arrived at by the Committee should not be satisfactory to himself or his hon. Friend the Member for Devizes it would be competent for either to bring the matter before the House fully upon the Report.

Motion *agreed to.*

Bill read 2°, and *committed* to a Select Committee.

COUNTY VOTERS REGISTRATION BILL.

LEAVE. FIRST READING. [BILL 59.]

MR. HUNT moved for leave to bring in a Bill to amend the law relating to the Registration of County Voters. The Bill was one of a very unambitious character, and would be contained in a very few clauses. The object was to remedy a practical grievance. At present any person on the list of voters for a county or division might send a notice of objection to any other person on the list, assigning no reason for his objection, and the practice was to place some man of straw on the register, who signed any number of objections, which were distributed all over the county, without giving the persons objected to the slightest clue to the ground of objection. In South Lancashire, for instance, in 1862-3, out of 23,140 names on the register, 16,468 were objected to, and 5,554 were expunged. In 1863-4, out of 22,390 names on the register, 13,468 were objected to. That statement was quite sufficient to show that some change was requisite. He did not propose to alter the whole machinery of registration. His immediate object was twofold. The Bill required that notices of objection should state specifically the grounds of objection; each should be considered separately, and if any objection taken was pronounced frivolous or vexatious the revising barrister should have power to give costs on that, even if the objector were successful on any other ground. He also proposed that voters should be able to send declarations, made before a magistrate or a Master in Chancery, stating what their qualification was, instead of being compelled to appear in person before the revising barrister. This would save great inconvenience and expense.

Moved, That leave be given to bring in a Bill.—(*Mr. Hunt.*)

MR. HIBBERT was glad that this Bill was being introduced. He had himself been objected to three times in five years, and he knew many persons with a perfect qualification whose names had been struck off, because they were unable to attend the registration court.

MR. DODSON said, the two principal provisions of the Bill were recommended in the Report of the Select Committee last year. The Bill which he introduced last year went considerably further than the present one, and would have almost entirely recast the system of registration, and he regretted that this Bill did not embody more of the provisions of his own.

MR. COLLINS thought that persons should be put on the registry, not by the act of an election agent, but by the act of some public department. He approved of the alterations proposed, and hoped to see greater improvements made.

Motion *agreed to.*

Bill to amend the Law relating to the Registration of County Voters, *ordered* to be brought in by Mr. HUNT, Mr. WALTER, and Mr. HOWES.

Bill *presented*, and read 1°. [Bill 59.]

VALUATION OF LANDS AND HERITAGES (SCOTLAND) BILL.

Select Committee *nominated*:—Mr. DUNLOP, Mr. BAXTER, Mr. BLACKBURN, Mr. EDWARD PLEYDELL BOUVERIE, Lord GEORGE CAVENDISH, Sir EDWARD COLEBROOKE, Major CUMMING BRUCE, Mr. DALGLISH, Colonel DOUGLAS PENNANT, Sir WILLIAM DUNBAR, Sir JAMES FERGUSSON, Mr. WILLIAM LESLIE, Mr. MACKIE, Sir GRAHAM MONTGOMERY, and Mr. SMOLLETT:—Power to send for persons, papers, and records; Five to be the quorum.

MARRIED WOMEN'S PROPERTY (IRELAND) BILL.

On Motion of Mr. LONGFIELD, Bill to provide for the security of Property of Married Women separated from their Husbands in Ireland, *ordered* to be brought in by Mr. LONGFIELD, Sir COLMAN O'LOGHLEN, and Mr. LEADER.

Bill *presented*, and read 1°. [Bill 60.]

PERTH PROVISIONAL ORDER CONFIRMATION BILL.

On Motion of Mr. BARING, Bill to confirm a Provisional Order under "The General Police and Improvement (Scotland) Act, 1862," relating to the Burgh of Perth, *ordered* to be brought in by Mr. BARING and Sir GEORGE GREY.

Bill *presented*, and read 1°. [Bill 61.]

House adjourned at half after Five o'clock.

HOUSE OF LORDS,

Thursday, March 9, 1865.

MINUTES.]—Select Committee — On Resignation of certain Offices by Leonard Edmunds, esquire, *nominated* (see p 1202.)

Public Bills — *First Reading* — Abolition of Arrest and Final Process [h.l.] (26); British Kaffraria * (27); Industrial Exhibitions * (28). *Third Reading*—Game Licences (Ireland) * (23) and *passed.*

ABOLITION OF ARREST UPON FINAL PROCESS.

BILL PRESENTED. FIRST READING.

The LORD CHANCELLOR said, he proposed to lay upon the table of the House a Bill which he regarded as one of very great importance. Its object was to abolish the law authorizing imprisonment for debt, or rather so much of it as remained unrepealed. Their Lordships were aware that by the Act for the Amendment of the Law of Bankruptcy, which was passed two or three years back, imprisonment for debt was abolished, except to a very slight extent, by the provision which empowered the Registrars of the Court of Bankruptcy to visit prisons and to adjudge bankrupt those whom they found imprisoned there for debt. The result of that provision had been most beneficial. One of its immediate effects was that the Queen's Bench Prison was closed; and, generally speaking, no one complained that the remedy of the *bonâ fide* creditor had, in consequence of the operation of the measure, been abridged. That being so, he desired to improve the practical operation of the measure, or rather he proposed to take away the evil of which it was the consequence. It had been ascertained by the Returns on the subject, that those who were now in prison for debt generally consisted of persons who found their way there for the purpose of being discharged under the Bankruptcy Law, and the consequence was that there were a great number of applications for discharge. He thought, therefore, that their Lordships would be justified in taking one step further; for it appeared to him, and it was the general opinion throughout Europe, that the old practice of imprisoning a debtor merely on account of a debt not being paid was neither quite just nor expedient. Now, such had been the operation of the existing law that it would enable the Legislature to make the great and important improvement proposed to be carried into effect by this Bill. Their Lordships were probably aware that there was a Committee of the other House now sitting for the purpose of inquiring into the whole of the Bankrupt Law, and it was probable that the Report of that Committee might be made at no very distant period. From what, however, he had been able to gather of the probable contents of their Report, it was likely that a very considerable time would be required for the preparation of a Bill to carry its recommendations into effect. Moreover, the question would require to be well considered by the commercial classes at large before introducing a Bill to give effect to those recommendations. He did not, under those circumstances, anticipate that Parliament would be in a position to legislate upon the ground of the Report during the present Session, and he, therefore, proposed by the present Bill to make an enactment which he had reason to believe would be in perfect harmony with the recommendations of the Committee. This proposal was that no order of discharge granted to a debtor should have the effect of releasing his future goods unless he paid a dividend of at least 5*s.* in the pound under the Bankruptcy Act. Such was the present state of the law that every man who was brought up for discharge as a bankrupt was in a better condition if he had no property at all than if he had some; for if he had no property and set his estate down at nil no one opposed him, and he got his discharge as a matter of course. He proposed that no discharge shall avail to release the future property of a bankrupt unless he pays a dividend of 5*s.* in the pound, or obtains the assent to his discharge of five-sixths of his creditors in point of value. There will be no hardship in discriminating between the honest and fraudulent bankrupt, and in imposing this condition upon the order of discharge by which future property will be released from liability. He, therefore, trusted their Lordships would give the Bill a first reading. The noble and learned Lord then presented a Bill to abolish Arrest upon Final Process in England except in cases where the debtor is in possession of property or in the receipt of an income which cannot be taken in execution.

Lord CHELMSFORD inquired whether the Bill would take away from the Judges of County Courts the power to commit in default of satisfaction of judgment?

The LORD CHANCELLOR said, that the Bill entirely reserved the existing County Court system.

Bill *presented,* and read 1^{a}. (No. 26.)

THE RIVER PLATE—BRAZIL AND URUGUAY.—QUESTION.

The Marquess of CLANRICARDE inquired of the noble Earl the Secretary for Foreign Affairs, Whether he will give any information the Government might have in their possession with respect to the present state of affairs, according to the last accounts, in that part of South America which borders upon the River Plate?

Earl RUSSELL was understood to say that he believed there was a very large Brazilian force, consisting of eight or nine men-of-war, at the mouth of the River Plate, which had been sent there for the purpose of forcing the Government of Monte Video to yield to the Brazilian demands. Her Majesty's Minister at Monte Video had expressed a strong hope that no attempt would be made to bombard the town; that the English and French naval commanders in the River were of opinion that the town had no chance of making a successful resistance, and they hoped no attempt would be made to defend it, as otherwise there must necessarily be a very great destruction of life and property; and that orders had been given to protect British merchants and their property, which might be endangered in the event of a bombardment. Papers would shortly be laid upon the table, containing further details upon the subject.

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, March 9, 1865.

MINUTES.]—New Writ Issued — For Wilts (Northern Division) *v.* The Right Hon. Henry Sutton Sotheron Estcourt, Manor of Northstead.

Supply—*considered in Committee*—Navy Estimates.

Public Bills—*Resolutions in Committee*—Isle of Man Disafforestation (Compensation).

Ordered—Locomotives on Roads.*

Second Reading—Herring Fisheries (Scotland)* [49].

Select Committee—On Metropolis Sewage and Essex Reclamation *nominated.**

Committee—Affirmations (Scotland)* [40].

Report—Qualification for Offices Abolition* [62]; Affirmations (Scotland)* [40].

Considered as amended—Private Bill Costs* [7].

BRITISH AND NORTH AMERICAN STEAMSHIP COMPANY. — QUESTION.

Mr. BAXTER said, he wished to ask the Secretary to the Treasury, If the British and North American Royal Mail Steamship Company are employing Vessels seventeen years old on the Halifax and Boston line; and if, at the expiry of the Contract with that Company, the Government intend making new arrangements by which the postal service may be performed with more expedition and at less expense to the country than under the present subsidized system?

Mr. PEEL, in reply, said, he understood that there were two vessels on the Liverpool, Halifax, and Boston line, which were about seventeen years old, but it did not appear that any complaints had occurred of delay on that line which the contractors had not been able to account for. With regard to any future arrangement, he found that the existing contract did not expire until 1867, so that there were three years in which to consider such arrangement. He was aware that the Committee on Contracts of 1860 had expressed an opinion that no subsidy was necessary on that line; that there might be an efficient postal service without a subsidy; and in considering what should be the future arrangement of a contract, the view expressed by that Committee should not be lost sight of.

LEICESTER SQUARE.—QUESTION.

Mr. DAWSON said, he would beg to ask the First Commissioner of Works, Whether, in the present state of the enclosure in Leicester Square, it would be in the power of the Government either to remove or repair the mutilated statue, and otherwise improve the dilapidated condition of the space in the centre of the Square; and, considering that the locality is used as so common a resort among foreigners, whether any steps could be taken to render it more suitable to the proper appearance of a public thoroughfare in the Metropolis?

MR. COWPER said, in reply, that the dirty and disorderly condition of Leicester Square was an evidence of the want of any control or authority on the part of the Government over that ill-fated quarter of the town. It was not Crown property; if it were, any one who held his (Mr. Cowper's) office would not consent that the person of His Majesty George II. should be presented to the public in its present mutilated and ridiculous form. The statue had only one leg, and that a crooked one, and only one arm, which was quite distorted. The difficulty was that Leicester Square was claimed as private property, and that the owners were not prepared to fulfil the duties that attached to them. The year before last, however, an Act was passed called the "Gardens in Towns Act," intended to remedy this very disastrous and disgraceful state of things; and this Act would shortly come into operation. It empowered the Metropolitan Board to undertake the management, and in the absence of any well-defined rights on the part of others, to repair the railings, clean the walks, and put the statue in order. The Metropolitan Board of Works had given the necessary notice, which would expire in about four months, and by next July he trusted that the Metropolitan Board would be able to interfere and improve the condition of the square.

DIPLOMATIC RELATIONS WITH BRAZIL.—QUESTION.

MR. WHITE said, he would now beg to ask the First Lord of the Treasury, Whether, with a view to re-establish friendly relations with Brazil, it is the intention of Her Majesty's Government to bring in a Bill this Session for the repeal of the Act (8 & 9 *Vict.* c. 122) called the "Aberdeen Act"?

VISCOUNT PALMERSTON: No, Sir, it is not the intention of Her Majesty's Government to bring in any Bill to repeal the Act, and for this reason, that if the Act were repealed the slave trade between the coast of Africa and Brazil would be resumed to any, even to the most unlimited, extent. And, with the best intentions on the part of the Brazilian Government, it would be futile to prevent it, as we see by the example of Cuba, where the Captain General is most honestly and sincerely anxious to put an end to the trade, but the venality of his subordinate officers entirely defeats and frustrates his intentions. I may, however, state, and the House will be glad to hear, that negotiations are going on through the intervention of the Portuguese Government with a view to the re-establishment of friendly relations between Great Britain and Brazil.

PENSIONS OF OFFICERS OF THE HOUSE OF LORDS.—QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he has been correctly understood to mean that the House of Lords claim the privilege of granting Pensions out of the Public Money to their own Officers as of their own authority, without the cognizance or consent either of the Chancellor of the Exchequer, the Secretary to the Treasury, or the House of Commons?

THE CHANCELLOR OF THE EXCHEQUER: Sir, if the hon. Member and the House will favour me with their attention, I will give as clear an answer as I can to the Question; but I am not quite certain that my information is complete, inasmuch as it is not a subject with which it is the practice of any public Department to interfere. In the first place, with regard to whether the House of Lords has any claim or privilege to grant pensions. I am not aware whether the manner in which the necessary expenses of the House of Lords are defrayed has ever been the subject of any discussion between that branch of the Legislature and the House of Commons or any other body, and as to the theory on the subject, therefore, I have nothing to say; but with regard to the practice, I believe it is as follows:—The House of Lords votes or adjudges what they consider to be the necessary and reasonable expenses connected with the transaction of their business out of what is called the "fee fund." That is the rule as to the greater part of the expenses of the House of Lords. It is not, however, the rule with regard to the whole of them, for there are certain charges connected with the House of Lords which are voted annually. In the Estimates for the year now about to close the following sums were voted by this House in the ordinary manner. For the salary of the Chairman of Committees, £2,500; for the Counsel to the Chairman of Committees, £1,500; for certain expenses in the Department of the Gentleman Usher of the Black Rod, £2,800;

and for the Serjeant at Arms, £1,500. Those are all specific charges which do not stand as a portion of any larger sum, and they are all voted in the ordinary manner. There are also specific charges which are common to both Houses, and have never been apportioned in the Estimates. They are also voted in the usual manner; but as regards the greater part of the charges for conducting the business of the House of Lords they are defrayed from their fee fund. In some years that fund is sufficient to defray the entire charges; in others it is not; but when it has been found insufficient an application has been made to the Treasury, who have placed the amount asked for upon the Estimates, and a Vote has been granted by this House, without any inquiry as to the particular manner in which it would be expended. The subject is evidently one of very great importance. We may naturally suppose that it is very much connected with the independence of the House of Lords, that its control over its own expenditure should be regulated in a particular manner. I do not enter into any discussion on that question, nor give any opinion upon it, but I will give the House information as to the facts. There was a Vote in 1859-61, for the House of Lords, of £13,000; in 1860-1, a Vote of £6,000; in 1861-2, a Vote of £7,000; in 1862-3 there was no Vote at all, the House of Lords having sufficient funds for their purpose; in 1863-4 there was a Vote of £6,000; in 1864-5 there was no Vote, and from the state of the private business in that House in the present Session it is not probable that any demand will be made for 1865-6. I am informed that the balance of the fee fund of the House of Lords in the month of February last was about £26,000.

THE RIVER PLATE — BRAZIL AND URUGUAY.—QUESTION.

Mr. MAGUIRE said, he would beg to ask the First Lord of the Treasury, Whether he has any objection to state to the House the substance of the information received by the English Packet, as to the condition of affairs in the River Plate; and, whether instructions have been given to the British Minister and Admiral to prevent a recurrence at Monte Video of a similarly deplorable sacrifice of life and property by the Brazilians and Insurgent Forces, as the Under Secretary of State lately mentioned having been occasioned at Paysandu, by the same invaders of the Republic of Uruguay?

Viscount PALMERSTON: In answer, Sir, to the Question of the hon. Gentleman, I have to say that, according to the latest accounts, an attack was likely to be made on the town of Monte Video, by the sea forces of Brazil, and the land forces of General Flores, assisted in some degree by a Brazilian force. The naval commander of the British force in the River Plate remonstrated with the Brazilian commander upon the presumed intention of bombarding the town of Monte Video, and urged strongly that precaution should be taken that the property and persons of foreigners, of whom a great many are British subjects, should be exempted as far as possible from injury in such an event. Further details are to follow, and papers on the subject are being prepared—those most recently received in conjunction with the others. I am sorry that war is carried on in that part of the world on principles not very congenial to the feelings of Europeans; but we are not interfering in that war, except by earnest representations that it should be carried on with as little danger to the persons and property of foreigners as possible.

UNITED STATES—CLAIMS FOR COMPENSATION.—QUESTION.

Lord ROBERT CECIL said, he would beg to ask the Under Secretary of State for Foreign Affairs, Whether any communications have been received during the last six months, at the Foreign Office, from the American Government, or the American Minister, demanding compensation for losses occasioned to Citizens of the United States by the operations of the *Alabama*, or other vessels, commissioned by the Government of the Confederate States; and, if so, whether he has any objection to lay the Papers relating to such demands upon the table of the House? He would beg to add that he wished the hon. Gentleman not to understand the word "demanding" strictly.

Mr. LAYARD: In answer to the noble Lord, I have to state that no such communications have been received from the United States Government.

Mr. BRIGHT: I wish to ask my hon. Friend, whether it is a fact that the English Government have got very numerous claims against the Government of the United

States, in consequence of transactions which have occurred during the war; and, if so, whether such claims have been forwarded to that Government?

MR. LAYARD: In reply to the hon. Member, I have to state, that there are claims, of course, on the part of the English Government, and that they have been forwarded to the United States Government.

SUPPLY—NAVY ESTIMATES.

Order for Committee read.

SUPPLY *considered* in Committee—NAVY ESTIMATES.

(In the Committee.)

(1.) Question again proposed,

"That 69,750 Men and Boys be employed for the Sea and Coast Guard Service for the year ending on the 31st day of March, 1866, including 17,000 Royal Marines."

SIR MORTON PETO said, that in resuming the discussion, he must first express his regret that the forms of the House did not admit of an evening being fixed for a debate on the whole policy of the Navy, while uncertainty as to the hour when the Navy Estimates would come under discussion was scarcely consistent with the importance and gravity of the subject. Before he proceeded to make any remarks upon the Estimates, he wished to express his regret at the absence of the hon. Member for Sunderland (Mr. Lindsay), and he was sure he had the entire sympathy of the Committee when he said that regret was increased by the circumstances which prevented his attendance. The first thing to which he wished to direct the attention of the Committee was the form in which the accounts were presented. It was but fair to the noble Lord the Secretary to the Admiralty that he should say that the House had never obtained so much information, or obtained so good an insight into the affairs of the Navy, as had been given since the noble Lord held his present office. He was also bound to say that he regarded the appointment of the hon. Gentleman the Member for Pontefract (Mr. Childers) with extreme satisfaction. They had all been sorry to lose the services of the hon. Member for Halifax (Mr. Stansfeld), but a better appointment than that of his successor the Government could not have made. They had had a promise from the hon. Gentleman that the accounts of the Navy would be rendered to the House in an intelligible form; but up to the present time they had never had anything worthy of being called accounts at all. What they wanted was an account in which stock was included, for unless the balance of the value of stock was given from one year to another, they could never arrive at the actual amount of the expenditure in the Dockyards. There was no difficulty in giving such an account, as the Royal dockyards, when compared with many private concerns, were really but very small affairs after all. If Her Majesty's dockyards were treated like the private establishments throughout the country they should be able to obtain clear and satisfactory accounts, for there was no mystery in the case beyond the mystery that surrounded everything undertaken by the Admiralty. But the hon. Member for Lincoln (Mr. Seely), to whom the House was much indebted for his examination of these accounts, so far as they had been rendered, had shown that it was impossible in their present state to allocate to any particular item its just proportion of expenditure. The next question to which he would call the attention of the Committee was that of our docks on foreign and home stations. The Committee which inquired into this subject had dealt with it in no narrow spirit, but with a wish that due provision should be made for whatever was required for the public service. It was, therefore, a satisfaction to him to know that the noble Duke at the head of the Admiralty had himself recently paid a visit to Malta, and had thus become convinced that the views of the Committee of last year were correct, and that they ought to be carried into effect. He was also glad to find that the noble Duke, on his way home, had looked into the port of Algiers, where he must have seen that the Government of France had constructed much larger dock accommodation than that which the Committee thought ought to be established at Malta, and one dock capable of accommodating the largest armour-plated ship. There could be no doubt of the expediency of having in every part of the world the means of cleansing our ships, so as to make them effective for service, instead of relying on a foreign Government for dock accommodation or sending them home. He would next refer to the case of Bermuda. A promise had been made that some competent person should be sent out with a view to provide dock accommodation at Bermuda, and he hoped that a really competent and experienced person would be intrusted with this important duty. He desired to express an earnest hope that we should, as soon as possible, have in that island a dock at which our vessels on the West India station could be cleaned and repaired. Seven years ago an order was issued by the Admiralty for a dock at Bermuda, but nothing had since been done to give effect to that order. Another point was the necessity of concentrating our offices at Whitehall, and the great public inconvenience arising from the present divided Admiralty Establishments at Whitehall and Somerset House. This point had not been referred to by the noble Lord in introducing the Estimates. The noble Lord promised last year that he would direct his attention to that subject during the recess, but nothing appeared to have been as yet done in the matter. He would next call attention to the recommendation of the Committee of last year with regard to the closing of a certain number of the small dockyards. The Committee did not treat that subject as one of mere expense; but the hon. Member for Birkenhead (Mr. Laird) had shown in the Committee that the saving thus effected in Establishment charges only would, if capitalized, enabled you to place the larger dockyards in a most effective state, and would result in great economy of working. As to the state of the dockyards generally, nothing could be worse than the present regulations with respect to the economizing of labour. In great establishments, where labour was the great element of expense, everything should be so arranged as to economize the labour as much as possible. But the Government did not do this—on the contrary, their whole plan and arrangements of these Establishments were such as to prevent the accomplishment of those results. Thus, at Sheerness there were no tramways; everything had to be carried in the old antiquated way, and the erecting and engineers' shops were placed over the mast pond, though it was necessary, above all things, that the machinery should have a solid foundation. At Chatham two of the docks were occupied with building, and two others covered with flooring and with workshops, so that all the repairs had to be executed in the river, exposed to the inconvenience of the rise and fall of the tide. At Devonport, also, considerable inconvenience and expense were caused by the position of some of the buildings; the stores were placed immediately opposite the basin, and the erecting-shops were placed at the back, so that everythng had to be carried round at a great increase of time and trouble. Again, in most of the yards the smitheries and foundries were of an old type. He was quite aware that a large expenditure would be necessary in order to carry out these improvements, but nothing was so ill-advised as the continuance of a permanent evil of this kind, and he was sure the House of Commons never grudged paying money for effective service to be rendered. Mr. King, the Chief Engineer of the United States, had visited our dockyards; an intimate friend of his saw him immediately afterwards and asked him what he thought of them, and his reply was, he should have thought that the whole thing had been constructed shortly after the Ark, and that, knowing as he did the contrivance for saving labour in America, he was profoundly astonished that the Government had ever permitted a state of things to continue which allowed such a loss of labour to take place. The next, and by far the most important point, to which he (Sir Morton Peto) desired to call the attention of the Committee, was the state of Her Majesty's Navy at the present moment. The right hon. Baronet opposite (Sir John Pakington) the other night drew rather a dark picture on this point; but he (Sir Morton Peto) had made minute and careful inquiry from reliable sources, and his belief was that the statement of the right hon. Baronet was not in the slightest degree over-coloured; on the contrary, he was fully persuaded that the right hon. Baronet might have said much more than he did say, and that all he did say could be fully justified on proper examination. For eight or nine years, whenever the Navy Estimates were discussed, he had called attention to the impolicy of proceeding with the building of wooden vessels. The noble Lord the Secretary of the Admiralty justified the use of wood on the sole ground that the conversion of wooden into iron-sheathed vessels effected a saving of time. After a certain number of vessels had been thus converted, Mr. Reed was appointed Chief Constructor of the Navy, and then the plan was adopted of building wooden frames covered with iron armour. He (Sir Morton Peto) then called attention to the fact that such vessels would not be effective or serviceable as ships of war, first, because you would not have the necessary cohesion between the two materials; and, secondly, because it would be impossible to place the wood in conjunction with the iron so as to obtain durability. Every one conversant with shipbuilding was aware if a hollow space was left between wooden partitions without the means of ventilation, dry rot commenced, and so it would be with these wooden frames and scantling upon which the iron plates were placed. From the very moment the plates were fixed decomposition would begin. It appeared from the Report of a Committee laid on the table of the House in April, 1859, that timber vessels, even without being sheathed, and having the timber exposed, required thorough repair in fifteen years, and that during a century the average life of a timber ship had not been on the whole thirty years. He should say that from the very outset wooden vessels were too weak to carry the iron plates. The noble Lord the Secretary to the Admiralty, in addressing his constituents during the autumn, said that armour-plated ships were unhealthy, and he stated that as an excuse for sending a wooden three-decker to the Mediterranean. The noble Lord must be aware that, were he in command of that ship and were a war to break out, he would be obliged to go with the vessel to Malta and there disband the sailors; for a gunboat with a single gun would annihilate the ship in ten minutes after the commencement of an attack; and if the noble Lord were to risk the lives of 1,100 men under such circumstances he would be fairly answerable for the loss that must ensue. Now, the House had the testimony of the hon. and gallant Member for Wakefield (Sir John Hay) that iron vessels exhibited an amount of healthiness not exceeded by any other portion of Her Majesty's fleet. If, then, the vessels armour-plated on wooden frames were unhealthy, it was simply because the decomposition of the wood was going on; but entire iron ships were not unhealthy as shown by the returns; and that was just the difference between them and vessels constructed partially of iron and wood. He would call attention to another fact in connection with the wooden-framed vessels. The noble Lord was perfectly aware that it had become desirable to remove the armour to a large extent from the bows of certain wooden vessels in order to render them seaworthy. The consequence was that if a shot were to enter the unprotected part of the bow at the water-line the vessel would be sunk. The case, however, would be different if the vessel were of iron and built with bulkheads and water-tight divisions, like the *Warrior* and the *Black Prince*, both of which were designed, he believed, by Mr. Watts, and begun when the right hon. Member for Droitwich was First Lord of the Admiralty. In their case, if a shot entered the bow and let the water in the effect would be simply to alter the flotation line of the vessels some few inches, or perhaps a foot; but her seagoing qualities would not be affected, and she would not be rendered unfit as a vessel of war. He would now draw the attention of the Committee to the *Prince Alfred*, and he had taken the pains to have careful drawings made of every part of the vessel. What was the history of this ship? In the first place she was a three-decker, converted into one of that class of vessels known as the *Prince Consort* class. After the Report that that vessel (the *Prince Consort*) was nearly lost, the Admiralty determined to alter the *Prince Alfred* again, under the direction of Mr. Reed, and she was converted into a square-box ship. The centre of the vessel was covered with 6-inch armour, the end with 4½-inch armour, and the water-line, which was generally understood to require the most protection with but 4½. The vessel, between the square tower and the end, was without armour at all, so that her steering apparatus and rudder were exposed, and a raking fire from an enemy might destroy her machinery and place her *hors de combat*. Again, the port-holes were so constructed that if any shots struck them the whole thing must give way, and the ship would be placed in serious danger. He would undertake to say that any one conversant with shipbuilding would acknowledge that anything like the *Royal Alfred* for inefficiency as a ship of war or unfitness for sea had never been seen; and he was sure that a Committee of half-a-dozen naval officers of the same standing as the noble Secretary to the Admiralty would come to the same conclusion.

He wished, in the next place, to refer to the appointment of Mr. Reed as Chief Constructor of the Navy. He felt from the first that that appointment was a great misfortune to that gentleman himself and to the country. He was told that Mr. Reed had occupied at first the position of editor to a periodical; and, secondly, of secretary to an institution of which the right hon. Member for Droitwich was President—the Institution of Naval Architects. Before he was appointed Constructor of the Navy, Mr. Reed had never constructed a ship in his life. The House, he was sure, would feel the gravity of committing the construction of the navy of this country to any one person, however talented he might be, who had no previous experience. From all he had heard, he had reason to believe that Mr. Reed, in regard to professional talent, was really a clever man, and in all other respects perfectly estimable. Therefore it was, he said, that it was as great a misfortune to himself as it was to the country that he should be placed in such a position. But the appointment of a person so little qualified by previous experience to such a responsible situation induced him to entertain great doubt as to the administrative qualities of the noble Duke at the head of the Admiralty. Everybody who knew the noble Duke must feel for him the highest esteem; but in dealing with the important subject of the navy, all personal or party considerations must be put aside—it was too important to be dealt with other than in the most open manner — and he was bound to say that the right hon. Member for Droitwich exhibited in his speech the other night not the slightest tinge of party feeling. In the case of this appointment of Mr. Reed, he was sure that the Government would have done wiser and better if they had continued in office those who had so long been at the head of the Department. They might then have wisely used Mr. Reed's talents, and the whole thing might have been conducted without displacing those who had already shown so much capacity, while the country would feel that they were in safer hands than by committing that duty to a gentleman who had no practical experience. The Government was at present practically throwing aside all the old talent of the country, and trusting to a single and undisciplined mind. What was the evidence given by men qualified to offer an opinion on these matters? In the Report presented by the Select Committee on the Board of Admiralty in 1861, Rear Admiral Elliot would be found to have said—

> "I think the duties of the Controller are quite sufficiently laborious without his being at the Board to represent his Department there; and I do not think he can give sufficient time to the question of experiments and scientific improvements which are constantly coming before the Board. . . . There are many things connected with the fittings of ships at this moment which have been constantly inquired into and reported on, and are still unaltered, owing, I think, if I might say so, to a certain amount of prejudice in the Surveyor's (or Controller's) Department. I am of opinion that these things would be remedied by being ventilated before an independent Committee of scientific men. . . . The Controller can lay his plans and suggestions before the Board; I think that they should be ventilated by an independent Committee, and I think we should save many mistakes thereby. . . . I have frequently heard it stated that naval officers are so full of suggestions for improvements that it is impossible to attend to them. I think that a Committee would just be the means of weeding all these plans and inventions, and bringing the best of them to the notice of the Admiralty."

He (Sir Morton Peto) could not too strongly press on the attention of the Government the expediency of appointing a Committee of that kind, from which he thought a great amount of benefit would be derived.

He wished now to turn for a few moments to the subject of Captain Cowper Coles's invention of the turret ship. And, first, he felt bound to express to his noble Friend the general feeling prevalent in the public mind that Captain Coles had not received justice at the hands of the Government, or that amount of consideration which the importance of his invention demanded. It was also the conviction of many scientific and practical men that the Government had not at present any vessel of war approaching the *Royal Sovereign* in effectiveness for harbour defence. They were now, it appeared, about to allow Captain Coles to design a turret ship which should be a sea-going vessel; but he thought that in this matter they had begun at the wrong end. Instead of giving Captain Coles an old three-decker to be cut down for a harbour ship, they ought first to have allowed him to try his hand on a sea-going vessel; and then if she had not answered their purpose as a sea-going vessel, she would have done very well for harbour defence. And here he begged to ask why the Government did not furnish the House with Captain Sherard Osborn's Report? When inventions of this sort were committed for observation to officers of great experience, not to make the report public, gave it the character of a public document. In keeping it from them they were not treated with proper respect; and if they did not give the House the means of arriving at the right conclusion, they must not be indignant with them if they formed conclusions upon such knowledge as could be otherwise obtained. On one occasion a report having been made by Rear Admiral Elliot on the condition of the ships in the Channel squadron, that officer complained in his evidence that only portions of his Return were produced before the Dockyard Commission, and that these did not practically convey the effect of the whole. All that he said in favour of the ships was given, while all that he said against them was omitted. The day had gone by when there ought to be any mystery about these matters. The House was entitled to have the means afforded it of forming a sound judgment upon them. It was a mistake to suppose that the contents of these documents were not known. The withholding of Captain Sherard Osborn's Report did not prevent the nation from learning indirectly what it contained. He believed that he knew much of what Captain Osborn's opinions were as to Captain Coles's ships; but if he were not quite accurate in conveying them to the Committee he must be forgiven for the reason he had mentioned. He understood, then, that Captain Osborn had stated—

> "On all occasions the ship behaved remarkably well. She is more buoyant than I should have anticipated; very fast considering how coarse a bow she has, and not wetter than might be expected for a vessel purposely cut down for harbour defence only.

That gave them reason to believe that Captain Coles would be able to construct a sea-going ship on the turret principle. Captain Osborn further said—

> "The turrets and guns work admirably. We have now fired in all 177 rounds under all conditions; the rolling of the ship does not affect the evolutions of either turret or gun."

That indicated the achievement of a great success in those particulars. An important question was how ships could be made to carry most effectively the largest gun. On that point Captain Osborn said—

> "I see no limit to the weight of ordnance which may be worked upon the turret principle, and there are many ways in which the revolving platform, apart from the iron-cased turret, might be applied with the best result to any of our ordinary cruisers, whether of wood or iron. As yet we have not carried away a gun-breeching nor hurt so much as a man's finger nail in the working of our guns and turrets."

That was exceedingly satisfactory. Captain Osborn proceeded—

> "I am of opinion that the *Royal Sovereign* as she now stands is the most formidable vessel of war I have ever been on board of. She would easily destroy, if her guns were rifled, any of our present iron-clads, whether of the *Warrior*, *Hector*, or *Research* class. Her handiness, speed, weight of broadside, and the small target she offers, increase tenfold her powers of assault and retreat; and I believe I see my way to firing by night from a turret with as much accuracy as by day, so long as the enemy is visible."

If that were so, surely the House had a right to demand that the most complete trial of that principle should be made. He had placed himself in communication with several officers in command of Her Majesty's vessels and who were in the Roads when the *Royal Sovereign* was exercised, and he had it from them that that vessel was without question the most effective ever yet constructed, and that no single vessel, in their judgment — not even the *Warrior* herself — could possibly stand against the turret principle effectually applied. One of his informants said that—

> "Vessels like the *Royal Sovereign* are admirably calculated for the defence of the coasts, harbours, and roadsteads of Great Britain. With twelve such converted vessels the fleet might be sent abroad to fight an enemy, and we could feel secure at home, come what might; the more so as any naval officer would undertake to work and fight these vessels, if manned by artillery-men, with only a dozen sailors to steer and take the lead."

That was a most important consideration. If the Government had such a vessel, a great question arose as to the necessity of land forts beyond those already ordered. A pamphlet had just been published by a Captain Stewart which dealt with these subjects in a very satisfactory way, and showed that two guns in a vessel on the turret principle would be as effective as a much larger number of guns on a land fort. He had the means of knowing what was going on in America, and he found that the whole of the *Monitors* now used by the Federals in America were what were technically termed "incompleted vessels" — that was to say, they were built up to a certain height so as to render them useful for purposes of harbour defence, harbour attack, or service along the coast; but they all could be built up the sides, not necessarily armour-plated, but with a thinner casing, so as to qualify them to cross the Atlantic or undertake extended voyages. It did not therefore follow because these vessels had suffered severely in a storm when passing simply from port to port, that they could not be built up at a comparatively small expense, and sent to any part of the world. He wished also to call attention to Fort Fisher. The fall of that fort, after making all due allowance for a little American bombast, seemed to teach us two lessons—first, that a fort unless armed with ordnance that could destroy iron-clads at a considerable distance was useless; and second, that forts on the seaboard built of any material but iron were speedily silenced by the heavy guns now used afloat in turret ships. So effective was the firing of some of the *Monitors*, and so completely were the embrasures destroyed that, in one instance, of sixteen men at one of the fort guns all were killed within ten minutes after the attack was commenced. Unless the entire face of the fort was covered with iron, no dependence could be placed on it when attacked by turret guns. Without raising again the question of ships versus forts, he might fairly call the attention of the Committee to one thing which had been almost lost sight of in the discussion with regard to fixed forts—They had not sufficiently estimated the enormous cost of arming these forts. He did not blame the Government for not having foreseen this ; but the lesson he derived from the fact was that it now became the duty of the Goverment to inquire very seriously into the question how far it was desirable to extend these fortifications beyond what the House was already pledged to, and whether it would not be much wiser to build harbour-defence vessels on the turret principle than to cover other portions of the coast with forts. His opinion on the subject of those forts was so strong that he had divided the House against their erection ; but the House having given their adhesion to the policy of the Government, he took the question as decided ; but there remained the question of the enormous cost of the ordnance to arm these forts. We were advancing day by day in experience as to the armour-covering of our vessels, rendering them more and more impenetrable by shot. We must, therefore, have guns in these forts of the most effective class. If these forts were completed there must be the number of guns required, about 2,000 ; whereas there were at present manufactured only something like twenty-one. He could not understand the policy of spending hundreds of thousands of pounds in completing forts without having guns to arm them. In the Defence Commissioners' Report of 1860, which committed us to this extensive system of forts, it would be found that the seaboard guns required for the coast batteries were —for Spithead, 915 guns ; the Needles, 81 ; Isle of Wight, 71 ; Plymouth, 262 ; Pembroke, 43 ; Portland, 200 ; Thames, 110 ; Medway, 172 ; Dover, 45 ; Cork, 45—in all 1,944. At present there was not a gun in these forts of the slightest use against ironclads in case of war, they must be supplied with effective guns and steel shot. And what would be the cost of guns and ammunition alone, without carriages and equipment ? Taking the average cost of 9, 11, and 15-inch bore guns at £4,066, 1,944 guns would cost £7,904,304; and with 100 steel shot and 100 steel shells each gun, at £25 per round, 200 rounds and equipments would cost £9,720,000—being a total of £17,624,304, as the cost of arming the forts now in the course of construction. How many pennies per pound would the Chancellor of the Exchequer have to put on the income tax, in order to cover this ? How many years would it take before these forts had an armament which would make them of any use ? And if ever they were armed, how long would it be before their armaments were again superseded by something better ? Further than this, their sea faces must be covered with iron if they were not to be speedily silenced by ironclad ships with monster guns. How many tons of iron would this take, and how much would it cost ? Considering the great expense and scarcity of these guns, should we not find greater protection from a smaller number in moveable batteries than from stationary forts requiring 1,944 guns, which could not be effectively supplied ?

He now wished to call the attention of the Committee to the position of inventors in regard to the Admiralty. A very important question has lately been decided in the courts of law—he alluded to the case of "The Queen *v.* Feather," in which the Government had pleaded the Queen's prerogative in bar of the right of a patentee. He had read with great pain the Lord Chief Justice's charge in that case. It was evident the Lord Chief Justice was perfectly convinced that, although, in point of law, the Queen's prerogative might be so pleaded, it was questionable both in point of policy and public morality. They all knew the common saying that corporations had no souls ; but it was very important that a Government should have both morality and a conscience, for if inventors found themselves in a position in which the Queen's prerogative was pleaded in bar of their rights, important inventions would be taken to the French Government, or to Russia, where inventors were received with open arms, and treated with every possible respect, scientific men being appointed to examine their various plans, and if they were adopted fair compensation was awarded. Inventors were at all events treated with respect, and if disappointed in their expectations, they had the benefit of submitting their schemes to a fair examination. This was really a very important question, for he must say to his noble Friend the Secretary of the Admiralty, that some inventions had been brought under the notice of that Department, which had not obtained fair consideration. He would instance the case of a poor but intelligent inventor who had been recommended by one of the most eminent engineer officers in the service, in a letter in which the gallant officer said—

> "I send you a poor fellow who has not a shilling in his pocket, but many brains in his head; and I think you will find him worthy."

The report of experiments at Shoeburyness appeared to countenance the idea that the thicker the armour-plating, the more it was to be relied upon; whereas, he maintained that the power of resistance depended not so much on the thickness of the plate as the character of the backing. He (Sir Morton Peto) examined the invention, and undertook to provide Mr. Chalmers with £1,250 for the trial of his target, on the understanding that if the Government bought the thing he should be repaid; that if it failed, he (Sir Morton Peto) should bear the loss, and that in no case would he accept a shilling of profit. Well, the target was tried, and for the time the hopes of Mr. Chalmers, like those of many another poor inventor who had gone to the Government, were frustrated. The Government, no doubt, gave him a check for his expenses, but little more had been done for him. Again, he did not think that Trotman's anchor had received from the Admiralty the attention which it merited. The short and the long of it was that Boards of Admiralty, as at present constituted, did not treat practical questions of this kind in the way most conducive to the interests of the country, and in his opinion nothing but a radical reform in the constitution of the Board would effect any beneficial change in this respect. Among other evidence taken in regard to the Admiralty in 1861, that given by Captain B. J. Sullivan, an officer of much experience, was worthy of notice. That gentleman complained of the great delay incurred by the Admiralty in adopting the improvements which were brought before them. For example, he stated that it took twenty years to convince them that lightning conductors were required for the navy, and a great loss of life and property was caused by the neglect to provide these necessary safeguards for ships. Since they were introduced there had not been a single man or spar lost by lightning. Captain Sullivan mentioned a case in which lightning conductors were taken out of a ship that was paid off, and another line-of-battle ship applied for them and was refused. The latter then sailed to the Mediterranean without them, was struck by lightning, and nearly lost altogether, five men being killed by the accident. A great deal of time was wasted in repairs, which also caused considerable expense. That was an illustration of the way in which the Government behaved in such cases. In fact, the witness he was quoting said that the impression was that unless a project emanated from some man in high position, there was great difficulty in getting it adopted. Of course, in censuring the Government and the Admiralty, he did not refer to the present or to any particular Administration, but to the Boards generally. He held that there ought to be a Scientific Committee connected with the Admiralty to look after these things, and that the decision upon inventions should not be left to the mind of a single man, however accomplished.

There never was a time when the state of the navy could by any possibility demand the attention of Parliament more than at present. He intended in the course of a few nights to ask for a Return, showing the exact state of Her Majesty's ships, and how long it would take to put the ships now in ordinary in a condition for going to sea, if a war occurred. He had been told—he knew not whether correctly—that it would require something like four years to put the engines of vessels now in harbour at Portsmouth into an effective condition for active service. Such a state of things as this ought not to exist. A grave injustice had been done to those who, like himself, sat in the House and night after night drew attention to the state of our naval affairs. It was alleged that they preferred economy to the honour of the country, and that they would rather cut down the Estimates than place in the hands of Her Majesty's Government the means of protecting the safety and honour of the country. He indignantly repudiated the idea. He said that the House of Commons during the last five years had given the Government £58,000,000 of money, and he wanted to know whether at the present moment we had a navy which, if hostilities unfortunately broke out, was equal to the emergency. He had not the slightest hesitation in saying that we had not. The remarks of the right hon. Baronet the Member for Droitwich (Sir John Pakington) were not at all over-strained; and from what he observed, and what he heard even from officers in the service, a great portion of the ships recently sent to sea, all armour-plated, whether on iron or wooden frames, were not seaworthy, or such as in a great emergency would render effectual service. Now, that was a position in which the country ought not to be placed, and it was their duty in that House to demand an ample explanation from Her Majesty's Government. He recollected a short time before the Crimean war they were frequently met with the statement that Her Majesty's army was in a most effective state, and equal to any emergency. But what was the result when they came to have that statement tested? There was no Member of that House who could look back to the time of the Crimean war as one by any means honourable to the administrative talents of the country; and he believed that at that moment they would find themselves as lamentably deficient in regard to the fleet as we were then in regard to the army. He made those remarks from a sense of imperative duty, and he trusted that the Government would not allow things to remain as they were. The House had a right to a full inquiry into this question, and he was determined as a Member, to exercise that right. He, therefore, gave notice of his intention, in a few evenings hence, to move for the appointment of a Committee, and he trusted the Government would grant it and thereby afford them the opportunity of examining, without an iota of party considerations, into the truth of the allegations made, whilst simply bearing the fact in mind that on both sides of the House one common feeling existed, without reference to party politics, of maintaining the honour and well-being of the country.

ADMIRAL WALCOTT: Sir, I have listened with much attention to the ingenious, ingenuous, clear, and candid statement of the noble Lord the Secretary of the Admiralty, and with equal attention to the able and manly criticisms of the right hon. Baronet the Member for Droitwich (Sir John Pakington). After such able and lengthened statements made in regard to the efficiency or otherwise of the navy, I am indisposed to weary the Committee by any lengthened observations of my own. I will therefore confine that which I propose to say to a very few remarks, which shall be brief and will, I hope, be strictly to the point. Now, in the first place, I must express how decidedly I deprecate the reductions contemplated by the Board of Admiralty in the seamen of the navy, the Coastguard, and the Marines. With regard to the seamen the proposed reduction is no doubt small. The noble Lord the Secretary of the Admiralty gave as a reason for this diminution of seamen, that inasmuch as our ships were now constructed generally of iron instead of wood the same number of seamen as heretofore employed were not necessary. I will admit that that fact offered some justification for a reduction. With reference to the proposed reduction of the Coastguard the noble Lord said that as the practice of smuggling had greatly lessened of late years there was not the same reason as existed formerly for keeping up so large a force of officers and men. But I beg leave to call the noble Lord's attention to these facts, that the service of the Coastguard is conducted by men who for a considerable number of years had exhibited the most admirable loyalty, faithfulness, and usefulness in their profession afloat; that it was looked upon by those men who had served many years in Her Majesty's navy as a desirable service to be promoted to; and likewise it afforded an excellent opportunity to the Admiralty by which to obtain efficient seamen should circumstances arise requiring again their active services as formerly had been the case for manning on the moment the Baltic fleet on the occasion of the late war with Russia. Now with regard to the proposed reduction in the Marines, no expression of eulogy that could escape my lips would be stronger than that force deserved. Those men were well trained and possessed all the qualities of good soldiers, and were invaluable on board the fleet. I therefore consider it unjust and ill-judged to reduce or to displace the number proposed in seamen, Coastguard, and Marines, more especially at the present moment, when it is evident that there is a small cloud gathering in the far west which may soon burst into a fearful storm over our heads, when we may need all our resources to stem its violence. I recollect previous to the Crimean war that we had been warned of a small cloud which gathered in the east. We, however, disregarded that warning. The tempest broke over our heads. It found us ill prepared to cope with its violence. The consequences were that together with the loss of a large portion of our army, who were mainly sacrificed by the want of due preparation, that war involved us in an expenditure, independent of our usual Estimates, of £100,000,000. I will now proceed to remark upon the construction of our ships. It appears to me that no precaution can be too great in timely forethought given to the design of our ships before they are commenced, and although the greatest economy ought to be observed in regard to the taxation of the country, yet only so far as it may be compatible with the integrity of our national defences. We have three or four classes of men-of-war, but there is not even two of them of equal speed. Now, the Committee should remember that in the event of war arising in a distant quarter it is of the utmost importance to us to have an efficient fleet capable of equal speed so as to intercept the vessels of an enemy. It is to be rembered that when in the year 1805, a French fleet escaped from Toulon and sailed for the West Indies they arrived and placed several of our islands under heavy contributions and returned in safety to the shores of France. True it was they were followed by the Mediterranean fleet under Lord Nelson, but owing to the bad sailing of some of his ships he was so retarded in his efforts to overtake them that on arrival in the West Indies he learnt to his dismay they had departed for Europe, and that his anxious chase had been fruitless. No doubt the *Warrior* in speed is a great success. I have nothing to say against that ship except her length is so great as to make her unhandy as regards management and space in tacking or wearing. Nevertheless, she is a good sea-going ship in many particulars, and able in speed to contend, nay exceed, the finest vessel of any other Power that could be brought against her. If, however, the Admiralty continue to iron-plate our ships all round, and make them thus invulnerable both to shot and shell, they must be reminded they will be placing a dead and dangerous weight upon them, which (though I am no alarmist, and most unwilling to shake the confidence of the gallant men that are to man them) would create in my mind a feeling of axiety as to their safety in a heavy sea and severe weather. The noble Lord the Secretary of the Admiralty the other night observed, in regard of one of our best ships, that she pitched heavily. Now, that was one of the greatest failures a vessel could have when obliged to encounter a heavy sea. If such a ship was thrown upon a lee shore her destruction, in absence of power in her screw whilst her bow was buried in the sea, would be almost inevitable. Now it appears to me there is something to be said for the Admiralty with reference to these classes of ships. There had been almost a panic in England lest we should lose our superiority on the sea, and this fear has led to a hasty construction of ships, designs, and expenditure, which I nevertheless cannot but regard as ill-conceived, and in some respects most wasteful. I believe I was one, if not the first, in this House to acknowledge the abilities of Captain Cowper Coles and his turret system, and in my opinion he has not obtained from the Admiralty that high-minded and generous consideration to which a brother officer stood entitled by reason of his eminent talents. For my part I have felt pride and gratification in association with such an officer. I am glad at this time to learn that the Admiralty have at length given permission to him to construct a ship on his own design without fettering him as I will hope in any way, and if this be so I then will undertake to predict that the result will fully verify Captain Coles's expectations. Again, I am not inclined to visit the Admiralty with censure for having placed the *Royal Sovereign* out of commission. That vessel had been sent to sea to test her capabilities and qualities, and though pronounced successful Captain Coles did not design her for anything but a coast or harbour defence ship, her continuance in active commission was not therefore necessary at the time she was paid off; but, nevertheless, as the management and training of guns on the turret system ought not to be lost sight of, it is in my opinion advisable this should be continued under the control of the captain in command of the gunnery ship in Portsmouth harbour. I am sorry to find that it is intended to vote a small sum of money for the construction of docks. There is a little work lately published which I have no doubt has been seen by the noble Lord the Secretary of the Admiralty, by Admiral Sir William Martin, one of the most distinguished officers in the service, and in whose judgment perfect reliance may be placed. The writer states that we cannot be blind to the fact that even victories must be attended with disaster, and that after a naval conflict between England and France the French would be able to carry their ships into harbour, dock, repair, and fit them for sea in half the time we should require, owing to their great superiority in dock accommodation. Our ships, many it might be of them, would have to be sent to the Mersey or the Thames at considerable risk. In fact it was doubtful whether shattered and disabled ships would be able to keep afloat until they were docked unless we had nearer accommodation. The evil was a vital one, and I am therefore sorry to find that it is proposed to carry this dock expenditure over four years instead of at once providing a remedy by a completion of these necessary works at a much earlier period. Dock accommodation, I likewise must observe, ought not to be lost sight of either at Halifax or Bermuda. I gladly heard from the noble Lord the Secretary of the Admiralty that it was intended at once to design and perfect ships of the *Alabama* build, because in my belief they will be found invaluable for the protection of our commerce and our colonies.

Sir, I am unwilling to trespass further upon the attention of the Committee, except to express my belief that no amount of money should be withheld to construct and maintain an efficient navy. The sum devoted to this end ought to be considered in no other light by the country than as a mere insurance payment for the safety of England. The fleets of merchantmen who maintain a commerce indispensable to our greatness and independence, and are dispersed over the whole face of the ocean, require the constant protection of our men-of-war. Our insular position; the numerical inferiority of our army; the augmentation of powerful navies by foreign Powers; demand an establishment at sea commensurate with the interests at stake—the security of our colonies; and the safety of our trade. And I venture to express my hope that the means placed in the hands of the Government by this House to provide for all contingencies, and the importance of administering those means in a manner creditable to the nation upon a sound and effective basis, may successfully be perfected so as to secure the cordial approbation of Parliament, and the enthusiastic unanimity of the country which is its sanction, for after all it cannot be denied that the strength and efficiency of our navy is the palladium of our liberties and the safeguard of our independence.

Sir JOHN HAY said, he thought it but fair to congratulate and thank his noble Friend the Secretary of the Admiralty, for the increase of pay which had been accorded to the officers and men of the Royal Navy—an increase which he believed would be found perfectly satisfactory. But while he thought that considerable credit was due to his noble Friend for what had been done, still more was due to his right hon. Friend the Member for the University of Cambridge (Mr. Walpole) and the Committee over which he presided; because he held that his right hon. Friend and the Committee by their Report and recommendations had strengthened the hands of the noble Lord in a direction to which he was already favourable. He hoped, however, that his noble Friend would consider the question of graduating the pay of the lieutenants, because he held that the case of the old lieutenants was one well deserving consideration. The junior lieutenants were tolerably well paid; but when an officer, after serving some twelve or fourteen years, would have no hope of rising to the higher ranks of his profession, it was, he thought, but fair that he should receive an increased remuneration for his services. Upon the Vote immediately under discussion he would also call attention to the fact that the Admiralty had hardly done justice to the pay of those Commanders-in-Chief whose case had so frequently been brought under the consideration of the House. Sir James Hope, a distinguished officer, stated in his evidence that while on the China station his necessary expenses amounted to £7,000 a year, whilst the pay of his successor was only £3,000 a year. It was not fair to expect officers to spend so much of their private fortune in order to maintain their position. This circumstance also had the effect of limiting the choice of the Admiralty to a comparatively few officers, because there were many officers who were perfectly eligible in other respects, but to whom such an appointment would be utter ruin. Another point to which he wished to call attention was the regulation concerning officers completing the sea time for their flag. The Admiralty had made a rule that no captain serving in a harbour ship should count the time so served as part of the time he was required to serve for the flag unless he had served three years at sea. That rule was a good one generally, but it had inflicted a hardship in some cases. Captain Craufurd, for instance, had been in command of the harbour ship at Rio, and Captain Nolloth at Hong Kong, under the impression that their time would count; but suddenly they found that they were excluded from the list, and that all the time which they had been serving on those unhealthy stations would go for nothing. Of course the service in those two harbours was not very lucrative to the officers who had accepted those commands for the purpose of having the time of their service there reckoned, and it was very hard upon them now that by a new rule having a retrospective operation they would be prevented from calculating that time. The Committee would, therefore, feel that the Admiralty had acted hastily in that matter, and he trusted that the rule would be reconsidered, so far at least as not to allow it to act retrospectively. He also hoped the Admiralty would reconsider their decision as to time of service in the Coastguard. The Committee presided over by his right hon. Friend recommended that the time should be allowed to count for two-thirds, but the Admiralty had allowed it to count for only one-half, which he thought was an erroneous decision. He would not then trouble the House upon the question of the retired list, nor of the specially ill-used reserved captains, which would be fully considered upon Vote 14; but before that Vote came on he hoped the Admiralty would take into their consideration the very respectful petition which he had presented to the House a fortnight since from the widows of old warrant officers. The Commission on Manning the Navy strongly urged upon the Government the necessity of granting pensions to the widows of warrant-officers, who certainly were a class which deserved some consideration at the hands of the country. That recommendation had been acted upon to some extent in the case of persons who had become widows since 1860; but there were some poor old persons with similar claims who merited similar treatment. For it would be seen by the Admiralty regulation that two persons equally deserving who had the misfortune to lose their husbands with equal services, the one before 1860 the other after that date, would receive very different treatment, for which there could be no justification. He deplored very much the decrease in the number of men for the navy, and he thought his noble Friend hardly satisfied the House upon that point the other night. The House must have felt that the more probable reason for reducing the number of seamen was, not that the fleet of the future would require fewer men, but because the fleet of the present was not able to obtain more. The noble Lord knew the difficulty of getting men, and was under the necessity of putting the best face upon the matter. Whatever the cause might be he very much regretted the reduction. He still more regretted to find that the number of boys to be trained for the navy had not been so largely increased as it ought to have been. The true policy for this country was to station training ships round the coast, so that the lads belonging to the seafaring population might be trained and then entered in the Naval Reserve. By that means they would be attached to the service, and when wanted they would go into the service without the expense now incurred in training merchant seamen. He was sorry also to find that his noble Friend was not able to give any satisfactory account of the formation of a corps of artificers for the navy. If such a corps was established the Admiral of a station would be enabled, by collecting those artificers from the various ships, to set up a small dockyard upon the spot, and there would be less necessity for the large staff of engineers now required to execute the repairs of a fleet. He agreed with the hon. and gallant Admiral the Member for Christchurch (Admiral Walcott) as to the impolicy of reducing the corps of Marines. In a maritime country like this there could be no doubt of the great value of those amphibious troops, who were held in the highest esteem by all military men. They had done good service in every part of the world, and were always available for land service, either with other troops, or with the less thoroughly trained seamen, and therefore, it was that he considered it most impolitic to reduce the number of that corps. He had been astonished to hear the reasons assigned by the noble Lord for reducing the number of the Coastguard. He understood the noble Lord to say that there was now no necessity for the Coastguard for revenue purposes. But it was well known that the protection of the revenue was not the main object of the Coastguard. The Report of the Manning Commission, and other Reports before the House had shown that the great value of the Coastguard was as a nursery for the navy. The noble Lord said he was going to reduce the number of the Coastguard because it was intended to send armour-plated ships to all the ports, and for those ships smaller crews were needed than for wooden ships. But where were the armour-plated ships to be found? Perhaps the noble Lord would be so kind as to name them ship by ship, and would also say if the iron-clad ships were to be so employed, where were to be found the armour-plated ships that were required for the other services of the country? He concurred with his noble Friend in congratulating the House upon the diminution of crimes and punishments in the navy. He thought the noble Lord had taken too short a series of years to draw his conclusions from, and in reducing the number of men the Admiralty had no doubt wisely got rid of the worst characters, which might very well account for the decrease in the number of crimes and punishments. But from whatever cause the decrease arose it was satisfactory to the country and creditable to the navy. No more noble example of the discipline on board our ships could be given than was exhibited in the loss of the *Bombay*, and he was sure that the names of Captain Campbell, and the other officers and crew would ever be remembered by a grateful country. Upon the question of docks he would not now touch, as an ample opportunity for discussing that subject would occur hereafter. He could not, however, refrain from expressing his regret that only £20,000 was to be spent this year at Portsmouth. The noble Lord did not deny that when the *Hector* wanted docking she was ordered to be sent to Plymouth, because the only dock at Portsmouth was occupied. Only one ship at a time could be docked at Portsmouth, and that could not be regarded as a satisfactory state of things, now that our new ships were iron and required constant docking and cleansing. He did not think the Admiralty had paid sufficient attention to that subject, and he hoped that the hon. Member for Birkenhead (Mr. Laird) would tell the House whether he considered it possible to copper our iron-plated ships. For his own part, he (Sir John Hay) believed that the ingenuity of this country was quite able to deal with any practical difficulty, and that an application of copper upon a sheathing of wood over the iron would be found practicable. Without being coppered no ship could properly perform blockading or cruising duties. It was to be regretted that the hon. and gallant Member for Waterford (Captain Talbot) was not present to be congratulated upon his great victory over the Admiralty in the matter of the Malta Dock. It was a subject the Committee could not consider too much. The Commander-in-Chief in the Mediterranean, and the Dockyard Admiral reported where the dock ought to be made. Two members of the Board of Admiralty went out and reversed that decision. It was only after two years' argument in the House that the noble Duke at the head of the Admiralty had, to his credit, gone out himself to Malta to see which was the proper site for a dock, and he had at once been convinced that the proper site was in French Creek. It was now to be constructed there but not until something like £50,000 had been spent in the wrong place. The selection of the director of works, which he believed was due to the hon. Member for Halifax (Mr. Stansfeld), was an admirable one, and it was greatly owing to Major Clark that the unwise decision of Sir Frederick Grey had been reversed. Upon the subject of guns he must observe that as the Admiralty had taken upon themselves the responsibility of finding guns it was time they should make up their minds as to what it was they wanted a gun to do. What the Admiralty should do was to give to a gunmaker the projectile they wanted the gun to throw, and leave him to produce the gun. In that case they might get a good gun. But now gunmakers were fettered by limiting the weight of the gun to six tons to throw a shot which the gun would be incapable of throwing. What was wanted was a gun to send a projectile with precision, force, safety, and endurance; and to get a weapon of that kind the great gunmakers should be asked to produce such a gun without any limit as to weight. He could confirm the hon. Member for Finsbury (Sir Morton Peto) as to the number of guns that would be required for the fortifications, which, added to those wanted for the navy, would be between 2,000 and 3,000. When those guns would be made he could not tell. The necessity for large guns had been proved by experiment here, and by practice on the other side of the Atlantic. The enormous size of the American guns was well known, and the Report of Admiral Porter showed what the effect of these guns had been. No doubt some of them had burst from bad manufacture, but we had skill and power enough to make good guns of that size, and Admiral Porter's Report showed what the effect of those guns had been before they did burst. The great fault of the Admiralty was that they never made up their minds what class of ships they wanted, and what class of duties they required them to perform. One was for having the guns in a box; another in a turret; a third was in favour of broadsides. One considered that broadside guns should be light, another that they should be of the heaviest description. Our ships were unfortunately built without reference to each other and without reference to their service in a fleet. The first thing wanted above all others in a ship was speed—the power of carrying her guns into the best position for annoying an enemy. The next requisite was stability, so that the guns might be fired with precision; and then she ought to have good sea-going qualities in all weathers; she ought to be built incombustible, and therefore of iron. The fate of the *Bombay* showed what would become of a wooden ship exposed to the missiles of the present day, charged with combustibles of all descriptions. Then she must be built in compartments so as to be unsinkable. It was utterly impossible to combine all these qualities and have armour-plates all round. Therefore, as much protection must be given to the vital parts as was possible without interfering with the qualities he had named. The magazine must be protected, the steering apparatus, the water-line, the boilers, and the screw—protecting all these parts, if doing so would not interfere with the sea-going qualities of the vessel, but omitting those last mentioned if found to make her less efficient, seaworthy, and speedy. The guns must be on a turn-table, and as much protection of the cupola sort given to them as the vessel would carry after the other requisites had been provided. Wooden ships on the broadside principle must be discarded, and he hoped to see it entirely discarded. In a few years, broadsides and wooden ships would be as obsolete, he believed, as the ancient trireme. He had taken a great deal of pains to ascertain what it was that we really required in the way of ships, and he believed that if the Admiralty would make up their minds what class of ships would represent our corvettes, frigates, and line-of-battle ships, they would have removed a great deal of the difficulty they laboured under in arriving at a conclusion as to what should be done. Our corvettes, he believed, ought to be vessels of about 1,700 tons; they ought to be built on the twin-screw principle, of iron sheathed with wood, and coppered, so that they might be made of a light draught, able to go 13 knots, armed with one or two 300-pounders on a turntable, and protected as far as they could be in their most vital parts. Our frigates ought to be about 2,500 tons, similarly arranged, but more protected, and with a speed of 14 knots. Our line-of-battle ships ought not to exceed 4,000 tons. They would carry four or five turn-tables, with guns on each, a couple of 300-pounders, or a 600-pounder, and then, with additional guns for landing with the marines or for the boats, they would be efficient war ships, which no other ships except of the same class would be able to meet. Their armour-plating should be entirely subservient to the other qualities he had named. The details of the Report of our iron ships had been fully canvassed by the right hon. Baronet the Member for Droitwich and other hon. Members, and it was, therefore, unadvisable for him to enter further into the subject otherwise than to state that the Return was most unsatisfactory. They had, however, a costly fleet of seven iron ships. Some of them, however, were not so perfect, or such good sea-going ships as was desirable, and until they had seen the Admiral's Report it was impossible to say what condition they were in. The Return of the number of ships in the navy laid on the table gave the number of line-of-battle ships as fifty-five; but was it true that not one of these ships except those actually in commission was ready for sea? It was said that of all our line-of-battle ships and frigates at Portsmouth there was only one, the *Octavia*, which could be got ready for sea within six months, and that some would take four years' work to get ready for sea. Certainly, to put them in a Return in this manner was throwing dust in the eyes of the country. They ought to be got rid of altogether, or else they ought to be got ready for sea, and the country ought to know how many of them were ready. Of all the lot he did not believe that there were more than ten which could be put into commission under a considerable number of months of dockyard work. He could not understand what had induced the Admiralty to refuse the production of the Admiral's Report of the cruise of the experimental iron squadron. He had been in the navy above thirty years, and he remembered there had been in his time various experimental squadrons. Admiral Corry, Commodore Collier, Commodore Martin, had all commanded experimental squadrons, and their Reports had at once been communicated to the House. The Admiralty were always glad to give the reports, and the country was always glad to receive them. If the ships failed—the difficulty of dealing with these questions had always been acknowledged—no fault had been found with the Admiralty—they were only told to do better another time. But here the most important experimental squadron of all had been sent out under the command of an Admiral in whom the Admiralty must necessarily have full confidence, and now in the second year of its existence we could not find out—at least not officially—what it was doing. Certainly, there were reports abroad from officers in the fleet and outsiders frightening the country out of its wits—that the ships dared not go out in a gale for fear of sinking, that they were unable to keep company—that they were unhealthy and so on—rumours which would at once be dissipated by the Admiral's Report if they could only get it. If the fleet were efficient, it would be creditable to the Admiralty that it should be known, and it should be published if it were only to dissipate the fears entertained by the public. If it were inefficient, it would at least be satisfactory to the country to know to what it had to trust. Why blind the country to the real state of the case? Public principle and precedent equally justified them in calling for the Report, and he was surprised that the House of Commons did not compel its production. He desired to add his tribute of praise to the excellent character of the *Royal Sovereign.* The *Royal Sovereign* was a great success. He had been on board of her in the recess, and directed the guns while they were being worked, and he was certain that, though she might be an inefficient ship of her class, owing to the blunders of those who selected such a vessel for the experiment, yet no more efficient man-of-war floated. If she were so successful under such disadvantages, what would she have been if she had been properly built from the first? Captain Coles had made a name in history; and his invention would be remembered with gratitude by the country when the present Board of Admiralty was forgotten. Before sitting down, he wished to say a few words about our foreign squadrons. He was not going to refer to France, but in the Mediterranean a great nation had recently been called into existence. Italy had lost no time in securing an iron-clad fleet. She had now eighteen iron-clads in process of completion, and some of them were very fine ships, although he had seen a story in one of the newspapers about one of them having nearly gone down in crossing the Atlantic. That arose from a confusion of the iron-clad, which came over safely enough, with the *Rè Galantuomo,* an old wooden ship which made a very bad passage. With these eighteen iron-clad ships Italy could go and collar the British Admiral in the Mediterranean and turn him out of the Gut of Gibraltar, just as a policeman would turn a drunken man out of a public-house. The Admiral would have to take refuge under the guns of Malta—if there were any guns there—or else be turned out of the Mediterranean. That was not a pleasant position to occupy. We had at present in the Mediterranean the following ships:—*Caradoc,* 2 guns, 350-horse power; *Chanticleer,* 17, 200; *Cossack,* 20, 250; *Firefly,* 5, 120; *Gibraltar,* 81, 800; *Hibernia; Hydra,* 1, 220; *Liffey,* 39, 600; *Magicienne,* 16, 400; *Meeanee,* 60, 400; *Orlando,* 46, 1,000; *Pelican,* 17, 200; *Phœbe,* 35, 500; *Psyche,* 2, 250; *Racer,* 11, 150; *Racoon,* 22, 400; *Resistance,* iron-plated, 16, 600; *Revenge,* 73, 800; *Royal Oak,* iron-plated, 35, 800; *Surprise,* 4, 200; *Victoria,* 102, 1,000; *Wanderer,* 4, 200; *Weser,* 6, 160. In all 23 sail, and only two iron-clads. Both flag ships were wooden. And there was the *Enterprise.* She was a good boat, but when she steamed with a head wind she would not face the sea, and her speed was 9 knots by the measured mile. That was the fleet we had to compare with the Italian fleet in the Mediterranean. He now came to the West Coast of Africa, where we kept a fleet for the purpose of catching the slavers. The Committee must know that these slavers were the fastest steamers afloat. They were built in New York, and were built for speed only, and when running with slaves they hoisted the Spanish colours. Well, for the purpose of catching those slavers we had the *Antelope,* 3 guns, 260-horse power; the *Archer,* 13, 202; the *Dart,* 5, 80; the *Espoir,* 5, 80; the *Griffin,* 5, 80; the *Investigator,* 3, 34; the *Jaseur,* 5, 80; the *Lee,* 5, 80; the *Mullet,* 5, 80; the *Pandora,* 5, 80; the

Ranger, 5, 80; the *Rattlesnake*, 21, 400; the *Snipe*, 5, 80; the *Sparrow*, 5, 80; the *Speedwell*, 5, 80; the *Wye*, 100; and the *Zebra*, 17, 200. Those 5-gun gunboats were the gunboats which were not got ready for the Russian war; and they did not steam over about 7 knots. The *Rattlesnake* steamed 10 knots, and the *Zebra* was a fast ship; but of the whole 17 vessels on the West Coast of Africa only two steamed more than 8 knots. It was to be hoped that we should have no hostility on the North American and West Indian station; but if war unfortunately arose we should have to meet the most formidable naval power in existence, for he was sorry to say that we were not now the first naval Power. Well, our ships on that station were—the *Aurora*, 35 guns, 400-horse power; the *Bulldog*, 6, 500; the *Buzzard*, 6, 300; the *Challenger*, 22, 400; the *Cordelia*, 11, 150; the *Sygnet*, 5, 428; the *Duncan*, 81, 800; the *Fawn*, 17, 100; the *Galatea*, 26, 800; the *Lily*, 4, 200; the *Medea*, 6, 350; the *Nimble*, 5, 80; the *Petrel*, 11, 150; the *Phaeton*, 39, 400; the *Plover*, 5, 80; the *Pylades*, 21, 350; the *Rinaldo*, 17, 200; the *Rosario*, 11, 150; the *Royalist*, 11, 150; the *Shannon*, 35, 600; the *Steady*, 5, 80; the *Styx*, 6, 280; the *Virago*, 6, 300; and the *Wolverine*, 21, 400. Of those 24 vessels, not one was iron-plated, and, as far as he knew, not one had guns that would pierce iron plates. They were under the command of Sir James Hope, whom he might, he hoped, without any reflection on other officers, describe as the most gallant man in the navy; but if Sir James were called on to blockade one of the North American ports he could not do so for one single day with such ships—a single *Monitor* would come out and set fire to those under his command. And the difficulty the service was in was this: if anything went wrong they had no person whom they could hang. It would be very hard on the hon. Member for Pontefract (Mr. Childers), doing his duty well as he was in his particular department, to hold him responsible for those things. Again, his noble Friend the Secretary for the Admiraly, whose courtesy and kindness every one in the House acknowledged, was not responsible. He was the servant of the Admiralty; he was in that House to report what decisions the Admiralty came to. In the old time there were two or three naval officers in the House who were responsible for the advice given to the First Lord; but now the House did not know who gave that advice. Having no general knowledge, but only that knowledge which a man might pick up from information to be got out of doors, he still hoped he had stated enough to induce the House to see that this country should be put in her proper position. If the House did not do this, they would be the accomplices of the Admiralty in some great naval disaster.

LORD CLARENCE PAGET: The speech of my hon. Friend the Member for Finsbury (Sir Morton Peto) had reference, in a great measure, to the forts and guns which are being constructed, and though, no doubt, guns form an important element in the consideration of iron-clad ships, yet, as we shall have other and more appropiate opportunities of discussing the question of guns, I do not think it necessary to enter into it at this moment, and therefore I shall proceed to the controversy on the subject of ships. I was extremely anxious on Monday night to answer certain criticisms of the right hon. Member for Droitwich the same evening with regard to the construction of our armour-ships, as my right hon. Friend had most courteously given me notice that he meant to advert to this matter; but I regret that, in consequence of many hon. Members wishing to address the Committee, I was unable to answer him before the House resumed. Now, first let me state that the Government have no desire for concealment; and the only thing that displeased me in my right hon. Friend's speech was his impression that we were afraid to face the truth.

SIR JOHN PAKINGTON: I referred to the non-production of Admiral Dacres's Report.

LORD CLARENCE PAGET: I shall come to that. Now, the terms used by my right hon. Friend were strong terms, and implied that there was a wish on our part to conceal the truth. It is true that on many occasions I have felt it to be my duty to refuse to produce the Reports made by officers on ships of the Royal Navy; and I warn the House that if it be their pleasure to have all reports of officers, whether naval or military, laid upon the table of the House, this is what will happen—instead of the Government getting what we get now, confidential reports containing the most minute details of the opinions of officers, given frankly and freely for the heads of Departments, we shall have a system of Reports framed for laying upon the table of the House of Commons, and these will be accompanied by "confidential Reports for the head of the Department alone." ["No, no!"] Why, since I first entered Parliament I have been accustomed to hear complaints made that the papers coming to this House from the Foreign Office do not contain all that is communicated by our diplomatic agents abroad; and I feel confident that the Reports drawn up by our officers for the information of the Admiralty would not be framed in the free and frank manner they now are if those officers thought they would be published. It is this reason, ad this only, that has induced my noble Friend the Duke of Somerset to instruct me on various occasions to refuse to produce these Reports. With regard to the Report of Admiral Dacres, I asked my noble Friend to let me have the heads of that Report—the pith of it—for the information of the Committee. But let me observe that some hon. Gentlemen seem to indulge in a habit of getting information — from I do not know what quarter—often rather gossiping information, as I think, regarding certain ships and certain events, and then coming down here and challenging me to produce Reports. I may illustrate this bymentioning a circumstance which happened last year. The hon. Baronet the Member for Portsmouth (Sir James Elphinstone) came down to this House and made an alarming statement about the *Research,* stating among other things that in firing her guns she became a perfect wreck. The question was asked me whether this was true, and I assured the House that there was no foundation for such a report; that the damage done amounted to the breaking of some crockery, which arose from the vessel not having been prepared for action before the guns were fired. The hon. Baronet then challenged me to lay upon the table the Report of the Commander-in-Chief. I objected to that; and he then made an insinuation that I had given the House untrue information.

Sir JAMES ELPHINSTONE: I beg pardon; I never made an insinuation against the noble Lord's statement.

Lord CLARENCE PAGET: Well, be that as it may, I understood it so, and under these peculiar circumstances I thought I ought to lay on the table the Commander-in-Chief's Report. But my hon. Friend has never referred to it, and never repeated his statement; because, as I conclude, he saw by the Report that what I had stated was true. The right hon. Baronet the Member for Droitwich (Sir John Pakington) referred the other evening to the reports of various officers. Now, officers like to gossip about their ships, and, especially, they do like to cram landsmen. From some of the details stated by my right hon. Friend I rather think that some of his informants must have been midshipmen. My right hon. Friend is very anxious for the production of Admiral Dacres's Report; but if we gave Admiral Dacres's Report why should we not give the Reports of other Admirals; Why should we not give Admiral Smart's Report? He commanded the Channel fleet; he is a distinguished officer, and his Report is as interesting as Admiral Dacres's. Both are distinguished officers. With respect to the Reports of these Admirals I have received the permission of the Duke of Somerset to state the heads of them to the Committee. I will tell you what the opinions of both these officers are, having condensed them for the convenience of the Committee. Admiral Smart was in command of the squadron in which were the *Warrior, Black Prince, Defence,* and *Resistance.* As to their sailing qualities the gallant Admiral reports that they stood in the following order:—*Resistance, Warrior, Black Prince, Defence.* I beg attention to that statement. The fastest sailing ship was the *Resistance.* It must, however, be mentioned that the *Resistance* had top-gallant sails, which the *Defence* had not. The *Black Prince* had taken in coal, and was not in such good trim as the *Warrior.* The *Warrior* had some sails which were not in the *Black Prince.* The result of the Admiral's Report was—

> "The stability of all the ships is great—their rolling and pitching did not appear to exceed that of the wooden ship *Revenge.* The *Resistance* when under canvass has a superiority over the larger frigates."

The Report then proceeds to give many detailed suggestions as to the the rig, armament, and ventilation of the ships; that is an honest summary of Admiral Smart's opinion.

Sir JOHN HAY: Does the Report mention the *Prince Consort* and the *Royal Oak*?

Lord CLARENCE PAGET: No; this is the Report of the previous year. Admiral Dacres in the year following had under his command the *Warrior, Black Prince, Defence, Resistance, Royal Oak,* *Prince Consort, Research*, and *Enterprise*. Of the *Warrior* and *Black Prince* he says—

> "For long voyages, and where the power to make rapid passages is of importance, these vessels are unrivalled. Even as at present rigged they can keep pace with vessels of the old class. Their great drawback is their extreme length; they are unhandy, and even with experienced officers the risk of taking them into such harbours as Cork and Lisbon is great."

Those are both, as the Committee knows, very fine harbours, into which anything like handy vessels could go with ease. The Admiral adds that "they are dangerous in scudding. On one occasion the *Warrior* came to nearly eight points against the helm."

SIR JOHN HAY: May I ask whether she was then under steam or sail?

LORD CLARENCE PAGET: I think under both on that occasion.

SIR JOHN PAKINGTON: But is my noble Friend able to say with certainty, because that is an important distinction?

LORD CLARENCE PAGET: I feel certain that she had sails set and was under steam likewise on that occasion. "In common weather," the Admiral goes on to say, "they are remarkably steady," but he does not think highly of their qualities in a heavy gale—

> "Their want of buoyancy, even with unprotected ends, is manifest, though in this respect they are superior to vessels completely armour-plated. Their want of armour belt at the waterline lessens their efficiency as large chasing ships, when they would be exposed to dangerous fire from a slower vessel."

Hence the Committee sees the difficulty we are under in combining fighting qualities with sea-going qualities; and when criticizing these vessels you must remember that these must be always matters of compromise. To make a vessel sea-going you must lighten her ends; if you lighten her ends you reduce her fighting qualities. To proceed with the Report—

> "In all varieties of general service," Admiral Dacres says, "I prefer the *Defence* and *Resistance* to any of the iron-clads I have seen."

These are the ships the right hon. Baronet informed the House the other night could neither fight nor swim, or words to that effect.

SIR JOHN PAKINGTON: I never said so. The noble Lord is entirely misquoting me.

LORD CLARENCE PAGET: The *Defence* is now improved in her sailing qualities, and Admiral Dacres says she has always been as handy in stays and in wearing as any one could desire.

> "She is a safe vessel, and can at all times be trusted with her screw up. Under steam she is a good serviceable vessel, and a very healthy ship. She is like all the fast iron-clads, vulnerable at the ends, and her stern and rudder are exposed."

The Committe will see how gradual the progress has been in these matters. In the first ships of the kind that were built, the rudder was not secured from attack; but the Committee will bear in mind that in these matters foreign nations were going *pari passu* with ourselves. The right hon. Baronet probably has some respect for the French navy, and yet every ship in the French navy, except three, is plated all round. Why, then, I ask, is the British Government subjected to this extraordinary outburst of disapproval, when another nation with equal or probably greater knowledge of shipbuilding than ourselves has pursued a similar course? We come next to the *Hector*—a vessel of very peculiar construction. Before we got to armour-plating at the waterline, it was considered advisable to plate all round the battery so as to protect the men. The *Hector* and *Valiant* were both built on the same principle, and have, of course, the same defects. Of the *Hector* the Admiral says—

> "This vessel, from the weight of her armour, is the worst of the large class of iron clads. She pitches deeply, and is quick in rolling. Her sailing qualities are bad."

I should state with regard to the sailing qualities of this ship that alterations have since been made by which, doubtless, these have been improved. We now come to the *Royal Oak* and *Prince Consort*. These are the ships of which the right hon. Baronet said that if the Report of Admiral Dacres could be produced, it would tell how totally unfit they were for any service, and what a disgrace they were to the country.

SIR JOHN PAKINGTON was understood to deny that he had used the words imputed to him.

LORD CLARENCE PAGET: At any rate that was the argument of the right hon. Baronet. Admiral Dacres says of the *Royal Oak* and *Prince Consort*—

> "These ships are invaluable for Channel service as block ships. Both are handy, though slow under sail. Their steaming powers even against a moderate sea are considerable."

The *Royal Oak* he regards as the superior ship, and of both he says that their rudders are well hidden. By the time these were built the Committee sees we had made an advance in that respect. "All ironclads," he says, "if completely plated round, will make bad weather of any heavy sea in the Atlantic." That I admit. "The plating necessarily renders them dark and less healthy." Now we come to the *Research* and the *Enterprise.* I beg the particular attention of the Committee to this branch of the subject, because upon these ships are founded the sad complaints against the Admiralty for having employed Mr. Reed. Of the *Research* Admiral Dacres says, "This vessel is very much over-weighted, she makes very bad weather of a moderate fresh breeze." I am telling the Committee frankly the quality of these vessels. I wish to conceal nothing—

> "She is comfortable below in fine weather; has good accommodation for officers and men, for stowage of provisions and stores; her ventilation is excellent."

Perhaps I may advert now, since I was challenged to do so by the right hon. Gentleman, to the opinion of the captain of this ship. It was said that if his opinion could be elicited he would declare how utterly unfit this vessel was to go to sea, and that even her crew would hesitate to go to sea in her. The right hon. Gentleman evidently does not know the feelings which animate the navy when he says that men would stop to ask whether a ship was fit to go to sea or not. Sailors will go wherever their officers order them, and there has not ever been a complaint that I am aware of of her not being fit to go to sea. I have here a letter from the captain of that ship. If I break through official rules and commit a certain irregularity in reading this letter it is because I am compelled to do so in defence of the Government and of these officers themselves. Captain Wilmshurst wrote to me this morning, telling me frankly what he thinks of the qualities of the ship. He says—

> "In Sir John Pakington's speech, as reported in *The Times* of the 7th instant, he desires to know my opinion of the seaworthy qualities of this ship. I give you my opinion in a few words, which you are at liberty to make any use of you may think proper. I don't consider her, in the old acceptation of the term, a 'wholesome seagoing ship as compared with wooden ships'—nobody ever did consider one of those armour ships to be wholesome as compared with a 'wooden ship;' but, at the same time, I don't consider that she would be in danger of going down in a gale, provided proper precautions were taken to batten her down securely, the means of doing which I think may be improved."

And with that opinion I entirely agree; but I beg the Committee to bear in mind that in dealing with ships of this tonnage our object was to discover the smallest class of ships that could be armour-plated with safety. Of the *Enterprise,* Admiral Dacres reports—

> "This is the best iron-clad yet built, and vessels of 4,000 tons built on this plan with some improvements, and with the same careful attention to interior arrangements, would be safer and better for every purpose than any iron-clad we have afloat."

SIR JOHN HAY: Will the hon. and gallant Gentleman give us the speed?

LORD CLARENCE PAGET: The hon. Gentleman knows that with an ironclad vessel of 900 tons you cannot get high speed. Nobody knows better than he does that it is quite impossible to combine all these matters in a small ship. You cannot have light draught of water, small tonnage, and great speed combined with efficient protection from armour. These are all matters of compromise; and if you have only vessels of 6,000 tons, and have to attack batteries in narrow waters, I ask you what will be accomplished by vessels like the *Warrior,* the *Agincourt,* and *Minotaur?* You require vessels for various services, and accordingly you must have different models. Admiral Dacres proceeds—

> "The *Enterprise* has only a belt round her water-line and a covering for her battery. She steams and sails fairly, and is exceedingly buoyant. She is well ventilated and berths officers and men well. Her construction is excellent; her rudder, hidden and safe, acts upon the ship remarkably well. A lining of wood inside the iron skin is required to obviate inconvenience arising from sudden change of temperature."

That ship has gone to the Mediterranean, and it does so happen that on her passage out she fell in with very bad weather, and her captain reported that no ship could have behaved more beautifully than that vessel had done. The Admiralty had ordered Mr. Reed to build these two vessels, the *Research* and the *Enterprise,* one of which was to offer the greatest possible amount of battery and armour-plating protection, and the other to be built as much as possible for sea-going purposes with limited armour protection. The *Research* was accordingly armour-plated with a belt round the vessel extending above and below the waterline, and plated up to the upper deck. It was consequently necessary to bring the upper deck nearer to the water, but we got a vessel thoroughly protected by armour-plating, assuming that the plates are thick enough. The *Research* was constructed on a perfect principle of defence, but we had to sacrifice seagoing qualities. The *Enterprise* could not be plated up to her upper deck, because that would have weighted her too much for sea; she was therefore plated a little above her water-line, and then we carried an iron skin to her upper deck. She was a better sea boat and a better sailer, but not so good a fighter as the *Research*. Both these vessels have fulfilled our expectations —the one as a sea boat, the other as a fighting vessel for coast defence. I do not wish to tell the House that the *Research* is a good sea boat, but she is invaluable for Channel defence, and her captain spurns the idea of being afraid to go to sea in her. Sir, these are statements that hurt the feelings of the officers and men of our navy. Another assertion has been that we are afraid to send our iron fleet to sea—that we had ordered them not to go to sea in bad weather, but to sneak into port and save themselves. My answer to that assertion is that we always give orders to our commanders-in-chief not to expose the fleet unnecessarily to bad weather. I could show such orders issued long before armour-plated ships were afloat. Here are the orders given to Rear Admiral Smart, dated the 24th of June, 1861, when in command of the Channel squadron, before armour ships had yet been to sea. He was to proceed to the northward with the following ships:—*Revenge*, *Edgar*, *Trafalgar*, *Hero*, *Conqueror*, *Aboukir*, *Centurion*, and the *Porpoise* tender. He was to visit such of the ports on the coast of Scotland and in the Orkney Isles as he might select, and he was told—

> "In the case of meeting with bad weather, you are to avoid all unnecessary wear and tear by taking shelter from it when practicable."

On the 17th of October, 1862, Admiral Smart was ordered to proceed to cruise with the following ships:—*Defence*, *Resistance*, *Revenge*, *Black Prince*, and *Warrior*, making Lisbon his head-quarters, and anchoring in the Tagus when expedient. He was told—

> "Every opportunity is to be taken for trying the qualities of the ships and for exercising their crews, but we do not wish the ships to be exposed to the risk of damage from bad weather, and you are, therefore, to consult your own discretion in taking the squadron to sea or remaining at anchor in the Tagus."

Such was the nature of the instructions given by the Admiralty; and what, then, are the House to think of such assertions as were made by the right hon. Gentleman.

Sir JOHN PAKINGTON: I must really correct the noble Lord. I made no assertions on the subject. I mentioned certain things as rumours, and asked if they were true. I did not say they were true, as I had no personal knowledge of them; but I thought it fair to give the noble Lord an opportunity of explaining them.

Lord CLARENCE PAGET said, I cannot acquit my hon. Friends opposite for quoting rumours—it is a sort of skirmishing in which they might naturally indulge; but when a Gentleman who had held the high office of First Lord of the Admiralty tells the Committee that he has heard rumours that our fleet is unfit to go to sea, that it could neither fight nor encounter a gale, it is a much more serious matter. But to proceed. Admiral Dacres was ordered on the 20th of August, 1864, to proceed with the following ships:—*Edgar*, *Warrior*, *Black Prince*, *Prince Consort*, *Hector*, *Defence*, *Aurora*, and *Enterprise*, to cruise to the westward, anchoring from time to time in such ports as he might find convenient. He was told—

> "Steam evolutions are to be performed at convenient opportunities, and my Lords desire you will test the qualities of the ships under sail and steam, avoiding their exposure unnecessarily to damage from bad weather."

These are, as I before observed, the orders that are always given, and no one who knows the cost and damage incurred by the injuries a fleet sustains in bad weather will doubt that it was wise to order them not unnecessarily to go into bad weather. I have now faithfully given to the House all that we know of those ships, whether good or bad. I cannot acquit the right hon. Gentleman of blame, because his voice has naturally great weight, and when such statements as he has made go to the country they produce a great effect. But the real fact is that the persons, whoever they might be, who gave him this information, had told him nothing but what was positive gossip—gossip, and nothing but gossip. They have given him even the wrong names of ships. The right hon. Baronet made an angry denunciation against the Admiralty for not having built the *Royal Alfred* according to the wishes and designs of Captain Coles when he proposed to build a cupola ship. If the right hon. Gentleman had come to me at the Admiralty I would have given him every information. The ship he meant was the *Prince Albert*, and not the *Royal Alfred*.

SIR JOHN PAKINGTON said, he had referred to the *Royal Alfred* as a most extraordinary instance of the Admiralty way of dealing with a ship; but the ship to which he referred in connection with Captain Coles's designs was the *Prince Albert*. The report in *The Times* was a mistake. He said the *Prince Albert*, and not the *Royal Alfred*.

LORD CLARENCE PAGET: It is not a mistake. I took down his words and tried to correct him at the time. The fact is, his gossips gave him the name of the wrong ship. The *Royal Alfred* is one of five line-of-battle ships that were begun in 1861, very much in consequence of the eloquent denunciations of the right hon. Baronet. He told the House that Admiral Elliott had been to France, and had seen armour-plated ships rising there like magic; that we had nothing to bring against them, and he implored the Government (and was joined in his appeal by many hon. Gentlemen) to build more armour-plated ships. Hence resulted the building of these armour-plated wooden line-of-battle ships which the right hon. Gentleman now so unsparingly condemns. We were positively driven by the House of Commons, and, I will admit, by public opinion, not to confine ourselves to iron armour ships, but to convert what wooden ships we had in the dockyards into armour-plated vessels, in order, as it was said, to put ourselves into a proper state of defence. The *Royal Alfred* is the last of the wooden ships then begun. Since that time we have gained great experience. I have adverted to what Admiral Dacres and others say, that you are coming every day to reduce the area of armour-plating, so as to have a belt of armour-plating at the water-line, and to clothe the battery also with armour-plates. The *Royal Alfred* was in so backward a state that we were enabled to make certain modifications in her construction, limiting the armour-plating to the battery and to the water-line instead of going full round. Was it not a wise measure to make these modifications? I am sorry my hon. Friend the Member for Finsbury (Sir Morton Peto) did not go to the Controller's Office and make inquiries there. I have never refused information to hon. Gentlemen. If they will come to me at the Admiralty they may look at the draughts and the cost of any ship, and if my hon. Friend had come to me I would have shown him the arrangements we are making to open other ports, to place iron girders along the sides, and to strengthen the vessel in various directions. I can assure him that he need be under no alarm that the ship will not be sufficiently strong.

I come now to the question of Captain Coles's cupola ships, and I must say that the criticisms which have been so freely enunciated concerning them have been very ungenerous and very unjust. As long ago as the autumn of 1861 Captain Coles was desirous, after certain experiments with the *Trusty*, to prepare drawings for a cupola ship for coast defence. In those days Captain Coles's plan was not for a turret but a cupola ship, which is very different. One of the principal advantages of his plan was supposed to be the form of the cupola. He said—

> "If you let me make a cupola of such a peculiar shape that it will have a very small top and a very large base, the shots will glance off."

Well, that was the original plan; but he soon saw that it was not sound in principle, because it would not give room enough for the guns. Captain Coles brought out a design for a turret ship. Now my hon. and gallant Friend and other hon. Gentlemen say, "Why did you not give him authority to construct a sea-going ship on the turret principle?" Now I, as an officer of the Government, am bound to tell you that Captain Coles, though a clever and enterprising man, is not a shipbuilder, and when he produced his original design in January, 1862, it was found that he had not made provision for sufficient flotation, and therefore the plan could not be approved. But finally, in January, 1862, a design was got out between Captain Coles and the Controller of the Navy, and Captain Coles expressed his consent and satisfaction at what had been done. Now, you see that up to January, 1862, Captain Coles and the Admiralty were working on a perfectly good understanding with regard to the turret, and hence has arisen the *Prince Albert*, the ship which my right hon. Friend has spoken of as the *Royal Alfred*. Now, Captain Coles himself will tell you that I am one of the most devoted adherents of turret ships for coast defence; but I never saw my way to a sea-going turret ship until he brought out his invention of tripod masts, and for this reason—that whatever number of turrets may be in a ship, you must have a clear space all round in order to give your guns proper training. You must give them a clear range all round. Hon. Gentlemen who know a good deal about square-rigged ships, and the great quantity of rigging which they take, will readily understand that this is one of the difficulties in the way of making sea-going ships on the turret principle. But Captain Coles devised a ship on the tripod principle, by which the difficulty of the rigging interfering is obviated, and I am hopeful about it, but many naval men even now are very sceptical. They say, "If one of the legs of your tripod is shot away, the whole concern will come down." Well, the difficulties in the way of making a sea-going turret ship did not deter us. What we did was this. We said, "First let us see the system tried in the Channel, and whether we can get a good vessel of the kind for coast defence, and then we shall go further." Now what would have been said if we had originally ordered a great cupola ship, and when we had sent her to sea she was found to be totally inefficient on account of want of range for her guns, and without room to work them inside the cupola? It is not Captain Coles but the Admiralty that would have been blamed, because it is the Admiralty, and not Captain Coles, that are responsible. And now I come to the *Royal Sovereign* and her history. The *Prince Albert* was commenced before we ever heard of American *Monitors*, and, therefore, before the action between the *Merrimac* and the *Monitor*. But when the House heard of that action they rose up almost as one man to urge us to have more turret ships. Well, what happened? The Admiralty consulted as to the best way of producing a turret ship in the greatest possible haste, and as we had a very fine vessel, the *Royal Sovereign*, that appeared adapted for the purpose, we decided upon making her a turret ship. Now, the delays which have taken place are not owing to any desire on the part of the Admiralty to condemn the system, or to defer its adoption. I can honestly assure the Committee that there is no foundation for those reports which have been set afloat that the Admiralty desire to keep back the adoption of the turret system. On the contrary, we have the most earnest desire to forward it. But let hon. Gentlemen consider the difficulties which are in the way, the delicate nature of the machinery, the enormous armour-plating that is required, and the time that is necessary to prepare all these things. Every piece of iron in the turret has to be bent in every direction before it is suited for its purpose, and above all the constant alterations that have been made by Captain Coles during the progress of the construction are the causes of delay. The Controller of the Navy has masses of letters on the subject from Captain Coles, all suggesting alterations and modifications which have been carried out wherever practicable. We desired to construct the *Royal Sovereign* as carefully as possible, and I am thankful to say that the ship has been a great success. I can assure the Committee that the Admiralty are delighted at its success, and if we can see our way we are desirous of getting a sea-going turret ship. And now about paying off the *Royal Sovereign*. She went out last year under a very distinguished man, Captain Sherard Osborn. There were necessarily some defects in her, but I do not blame Captain Coles or anybody else for that. The ship was a novelty, there was great difficulty in keeping out the water round the turrets, she required alterations, and since she has been in port we have been carrying out various improvements in her. But, as far as the trial of the turrets goes, it has been a great success. And now it has been asked, why did we pay her off? We did not pay her off. She was never paid off. She is attached to the *Excellent*, which is our school of gunnery. It is upon the *Excellent* that we depend to supply our turret ships with gunners. My hon. and gallant Friend (Sir John Hay) smiles, but will he be good enough honestly to tell me in what consists our blame?

SIR JOHN HAY: In taking efficient men out of the *Royal Sovereign* and putting them into the *Victoria*, an inefficient ship.

LORD CLARENCE PAGET: They were not taken out to be put into the *Victoria*. Some of the men volunteered to go. I have not the figures at hand, but I do not think there were forty men in all who did so. [An hon. MEMBER: There were sixty-five.] Well, it is possible that there were. We had 600 or 700 men at our command, and did not depend for the manning of the *Victoria* upon the crew of the *Royal Sovereign*, and the *Royal Sovereign* will soon be sent again into the Channel to go on with her trial. I fear I have wearied the Committee, but there are many more ships to which the right hon. Gentleman has alluded—for instance, the *Minotaur* and the *Northumberland*. I admit we are making alterations in the *Northumberland*, and will continue to do so. It is our bounden duty to make them, and, so far from its being a cause of blame, I think it would be highly culpable in the Admiralty if they did not make such improvements as the experience of the past suggested during the progress of the construction, always provided, as in the case of the *Northumberland*, that they are not attended with undue expense.

I will now advert to one or two remarks which have been made with regard to the appointment of Mr. Reed. Those remarks of the right hon. Gentleman gave me more pain than anything else that he said. If the right hon. Gentleman were unacquainted with the merits of Mr. Reed I should not have been surprised, but no one knows that gentleman's merits better than the right hon. Baronet. But I will ask the Committee to look at the facts. We were told that we should never build ships of any use for modern warfare as long as we were tied to the old Admiralty officials. It was said that they were men who could do nothing new—men who could build wooden ships, but could not enter with zeal into the new system. [Sir JOHN PAKINGTON: They built the *Warrior*.] Yes; but who built the *Resistance* and the *Defence*, ships which the right hon. Baronet condemned on rumour as unfit either to fight or to swim? Mr. Watts built them. I do not blame Mr. Watts. He was a man of great ability, and I greatly regret that his age has obliged him to secure the quiet of a retired life; but, remember in criticizing these ships you are criticizing Mr. Watts and the gentlemen who were then our naval constructors. As to the attacks on Mr. Reed, I trust that he is above being made unhappy by them. I have only to say that since he has been at the Admiralty Mr. Reed has shown great and marked ability; not confining his attention to proposals of his own, but showing himself as anxious to proceed with the turret ships which the Government proposes as any one can possibly be. I think it is not fair thus to criticize the conduct of a public servant who is doing his duty honestly and faithfully, and I think, moreover, that the right hon. Gentleman whenever he comes back to the Admiralty will have cause to remember what he has said—namely, that we are bound to take back all these gentlemen, although we know that they are no longer sufficiently active for the present business of the navy. [Sir JOHN HAY: They will not come back.] At all events, the fair inference from the argument of the right hon. Gentleman is that he would bring them all back. With regard to patents, the question is a very difficult one, and certainly nothing can be more unwise than to treat inventors ungenerously or without due consideration. In regard to the case lately tried, I can assure the hon. Baronet that the Admiralty are extremely anxious to make some arrangement with Mr. Feather, and I trust that some arrangement will ultimately be come to. My hon. and gallant Friend alluded to the time of captains, and instanced the cases of Captain Craufurd, Captain Schomberg, and another. It is true that by the new regulations no officer can become qualified for the active flag-list until he has served three years in a sea-going ship; but as I understand the order, those three years may be served either at the beginning or the end. Perhaps I may be mistaken, but if my hon. and gallant Friend will meet me at the Admiralty I will go into the case with him and see how it stands, in order that those officers may have full justice done to them. Meanwhile I may say that I have heard of no representations on the subject. Another point alluded to has been the claims of the widows of warrant officers. Our feelings must always incline us to favour such claims as far as we can properly do so; but I do not see how we can make a retrospective law in their favour, giving them pensions for all the back years, dating from the time—I think it was in 1833—when the pensions were taken away. All the widows who have become so since the late regulation now receive pensions.

SIR FREDERIC SMITH said, it was impossible for any person who had either listened to or read the speech of the noble Lord the Secretary to the Admiralty the other evening, not to have felt the greatest satisfaction at his statement. It was lucid and explanatory; but he confessed the observations of the right hon. Baronet the Member for Droitwich (Sir John Pakington) had somewhat dispelled the bright illusion. From that time to the present evening he (Sir Frederic Smith) had been in a state of great uneasiness, fearing that as regards the navy we were not in that state of safety and security that was desirable; but his noble Friend had now removed to a great extent his fears, and he hoped that all which the noble Lord had said as regarded the future would be entirely realized. He feared, however, that his noble Friend and the Admiralty were not soundly advised, and he should like to know on whose opinion they were acting as to the armament of our ships. He moved last year for a Commission to inquire into the present system of naval construction, and to consider what course should be adopted if there were found to be any cause for a change; but it was objected to by the Government, and they were still in ignorance of the course which the Board of Admiralty was pursuing. Was their course of action determined by the Controller, who was not a shipbuilder, or by the Chief Constructor, of whom he was glad to hear the noble Lord speak so highly? Because he (Sir Frederic Smith), when the appointment of Mr. Reed was before the House, had stated that he had not had sufficient experience to justify the selection. There was another point to which he would allude. The Admiralty were about to build two ships of a novel construction. One of them was to succeed the ship now building at Chatham, which was plated with six inches of iron, and, as he understood, she was to be succeeded by a ship plated with ten inches of iron. It was said that the great weight of iron prevented a ship being plated at the bows and at the stern, and yet they were told that a ship was to be plated with 10 inches of iron on 10 inches of wood, with an inch and a half of iron inside, and 22 inches of wood inside that skin, making in the whole 11½ inches of iron, and 32 inches of wood; whereas the *Warrior* and the *Black Prince* were only 4½ inches of iron and 18 inches of wood, and the cost and weight would be nearly double. [Lord CLARENCE PAGET: It is the same weight as the *Bellerophon.*] He was not comparing this ship with the ship building at Chatham, and it was quite clear that the cost and weight would be much greater. Had any experiment been made to test the power of resistance as compared with that of the *Warrior* target? If such a test had been made, he would be satisfied; it would be satisfactory to the Committee to hear the result. If there had been no such test, he thought they might be incurring great expense on experiments which might prove a failure. The noble Lord had not stated how far below or above the water line the 6 inches of iron were to be placed, so that practical men might be able to form some idea of the weight. Then, a new kind of vessel was to be propelled, said the noble Lord, by a water-wheel within the ship. He knew the noble Lord's ability and knowledge of his profession; but he (Sir Frederic Smith) should be glad to know who upon God's earth had advised him in this matter? The principle was to be water acting upon water; and he supposed an orifice behind and in the two sides, so that the ship could turn in the water like a teetotum. The ship was to be called the *Waterwitch;* it would be better to call her the *Teetotum.* Had any experiments been made to test this new scheme? He knew a little as to the effect of water acting upon water, and he wanted to know what experiments had been made to test this new scheme. When the Duke of Wellington was Lord Warden of the Cinque Ports, he took a great interest in Dover Harbour, in front of which there was always a bar. The attention of the Lord Warden was directed as to the best mode of getting rid of that bar; he was advised by a celebrated engineer to try this principle of water against water; but after spending about one million of money, the experiment turned out a complete failure. If, however, by the use of water with a water-wheel a moderate speed could be obtained, there was no doubt that to be able to dispense with fuel and engine works would so far be a great advantage, and if the noble Lord would show that his principle was likely to act successfully, he for one should be glad to see it carried into effect. The whole question of shipbuilding, no doubt, as the noble Lord observed, was more or less a matter of compromise; but he (Sir Frederic Smith) should be glad to know whether the Admiralty were going in one direction or another. What was the chief object to be sought, speed or security? In actions on shore they did not protect the guns nor the gunners; but in great actions at sea they must look to the safety of the ship first, and the gun and gunners afterwards. If the cupola principle could be got to work satisfactorily there could be no doubt that that principle was the best for fighting the guns. But the noble Lord said there was great difficulty in carrying it out because of the rigging being in the way; but the guns might, he (Sir Frederic Smith) thought, be placed in such a position that the difficulties in this respect might be overcome. He was, he might add, very unwilling to say anything on the present occasion on another question—the appointment of Chief Constructor of the Navy; but he might be allowed to state that he was very sorry if he had given the gentleman who held that office pain by the observations which he made some months ago. In making those observations he was simply discharging what he believed to be his duty. He had pointed out that the gentleman in question had not had sufficient experience in shipbuilding, although, being possessed of great natural quickness, he might since have picked up considerable knowledge. That, however, was no justification of such appointments, and nothing would, he understood, induce Mr. Lang—who, he believed, was now the adviser of the Messrs. Samuda—to return to the Government service. But while complaining of the appointment, he hoped the efforts of Mr. Reed would be attended with success. He should like to know whether the Chief Constructor of the Navy was the principal adviser of the Admiralty as to shipbuilding, and whether larger or smaller ships were to be constructed, what was to be their cost, their powers of resistance, and the nature of their guns? The noble Lord had also adverted to the subject of the Marines, and he might take that opportunity of saying that he had never in the whole course of his service seen a body of soldiers more ready to perform the duties required of them. They were hardly excelled as gunners by the Artillery, and there were no better marksmen with the rifle; he therefore hoped the Government would weigh the matter well before they reduced such a valuable force. As to the other topics which had been adverted to in the course of the discussion he had but very few remarks to make. He was glad to learn that it was not proposed to give up Pembroke Dockyard. There would be very little difficulty in making it secure; it was in a position which gave easy access to the ocean, and it had besides the great advantage of being a good harbour of refuge. With regard to the construction of works, he would recommend expedition in the construction of those works which the Government had determined upon, for he quite concurred in the opinion that there was a great waste of public money in spreading its expenditure over an extended period of time. The cost of superintendence and the difficulty of getting contractors in a large way of business to undertake works was thereby increased, and he felt quite sure that if the works about to be carried out at Chatham were constructed under contract instead of by convict labour, they would be in a greater state of advancement. He was, therefore, glad to find that that course was to be taken in connection with those works, one which he had recommended some years back. He might add that Chatham was in a position which would enable it to be defended with the greatest possible ease; and after the rumours we had heard of late we should lose no time in making Chatham and other places secure. If, unfortunately, the war with America with which we were threatened should break out, it would be found that no American vessel would attempt to attack Chatham, which was much less exposed than either Portsmouth or Devonport. As he had alluded to the apprehension of a war with America, he might remind the noble Lord of the danger which we should run in that event of losing possession of the Canadian Lakes and the command of the St. Lawrence; for the position of Canada would then be perilous in the extreme. He thought, therefore, that the Government should lose no time in constructing gunboats and batteries for the protection of the Lakes. As to increasing the pay of the artisans in our dockyards, he should like to put it to the hon. Member for Pontefract (Mr. Childers), who had said that to make the increase of 6*d*. a day would necessitate an expenditure of £150,000 a year more, whether he did not think that by procuring the services of men who were satisfied with their wages that amount would not be recouped. It had been stated that one of the reasons why the old master shipwrights had been got rid of was because they knew nothing about iron shipbuilding; but he should like to know whether those who were put in their place possessed that knowledge.

COLONEL SYKES said, that some alarming statements had been made in the course of this debate. He regretted to have heard it said that after spending £58,000,000, in case of an emergency the British navy would not be competent to meet an adversary on the sea; because such statements would have a prejudicial effect throughout the country and also abroad. It had been said that ships which were armed from stem to stern would not be seaworthy. This was very lamentable, if true; and he was more disposed to agree in the statement, because a distinguished engineer had said to him that the heavy-armoured ships would be likely to be proved divers, but that unfortunately they would never come up again. But there was at least this consolation, that if our iron-plated ships were a failure, those of foreign nations would be equally failures, and we should not be worse off than our neighbours. Out of doors there were continual cries for reduction of expense in reference to the army and the navy, and yet in the House many Members who spoke made some proposition which, if adopted, would increase expense. We ought to have a fleet competent to meet the naval force of the maritime nations of Europe; with America we need not trouble ourselves, as they were so far off, and had too much to do at home at present. Now, dismissing the iron-clads on one side and the other, how stood the comparison between us and our nearest neighbours in respect to the number of ships, seamen, and marines? If there were 100 on one side, with 50,000 seamen, and only 50 ships on the other, with 20,000 seamen, the nation with the largest force would surely be able to meet its opponents. From an Admiralty Return on the table of the House it appeared that, besides 27 armour-plated vessels afloat, and 8 building, this country had 330 screw ships and 88 paddle ships afloat, making a total of 445 ships afloat, independent of 69 effective sailing vessels. According to the French Budget for 1865, which he held in his hand, the French had afloat 81 screws and 57 paddles, and 50 sailing vessels, making a total of 188. Surely as far as the number of vessels was concerned, England had no occasion for alarm. The French had also six iron vessels which were afloat for the purpose of experiment, and they had twenty ships in reserve. We were also building other armoured ships, and we had sixty-nine sailing ships against the French twenty. He mentioned these facts because he did not wish it to go forth that this country was incapable of meeting her enemies. She never had been, and never would be so. He would now refer to the manning of the ships. By the Navy Estimates at present before the House it was proposed to maintain 52,000 seamen and boys, and 17,000 marines—69,000 in all. There were 750 civilians attached to the force, increasing it to 69,750. What were the numbers in the French navy? There were 1,592 officers and 28,889 seamen. With these figures surely there was no ground for fear that we should be able to meet our enemies upon the ocean, as had been stated in the debate. We had also 16,000 seamen who had received a retainer of £6 each, and this reserve force had cost altogether upwards of £142,000. He should like to know, however, how many of these men the Admiralty could put their hands upon when they were wanted; for there was no doubt that some of them were now in India, China, Japan, and elsewhere. The time was probably coming when there would be nothing but iron ships without armour, and then there would be no difficulty in reference to the question of floating. In regard to the question of finance, he could not congratulate the Admiralty upon their success in bringing about retrenchment. There had been a great flourish of trumpets throughout the country in reference to retrenchment; but while our Estimates for the Navy last year were £10,708,621, the Estimates this year are £10,392,324; and this showed but a small saving. The French Estimates were, of course, very much smaller than ours, because their navy was less; but he wished to mention that the French Budget was singularly perfect in giving the most minute and elaborate details, and he was glad to see in the English Estimates the effects of the handiwork of the present Civil Lord and the late Civil Lord of the Admiralty exhibited in the Appendices. But there was room for still further improvement. There was an enormous discrepancy between ourselves and the French in reference to the cost of establishments, and this arose from the fact that the French officers worked harder, and with fewer officers, and got less pay than ours. The cost of the French navy for the present year was £6,129,649, but this included £998,228 for colonial expenditure; so that the real cost of their navy was reduced to little more than £5,000,000, or about one half the cost of ours. But we in addition spent something like £4,000,000 on our colonies. He had made these observations in order to allay alarm at home, and to dispel any feeling of exultation which might exist abroad at the idea that all our attempts to improve our navy had failed and that we had no adequate force with which to defend ourselves at sea. He now desired to warn the House against the mischief which had arisen, and was continually arising, from the manner in which schemes for public works were presented to that House, and the facility with which they were adopted. In the first year a small sum was asked for, and in the next one a little larger, and these sums went on accumulating, until when, in three or four years, Members of that House began to be alarmed for the future, they were told that they had already spent so much money that it would be folly not to continue the expenditure, and that they were embarked in responsibilities of which, at the time of undertaking them, they had no idea. At Chatham, £1,250,000 was to be spent, of which £70,000 was required this year, and a balance of £1,026,120 would remain to be voted. At Portsmouth, £1,500,000 was to be spent; £7,500 was voted last year, and £20,000 was asked for this year, leaving £1,477,500 to be voted. At Keyham, the sum to be spent was £1,425,000, and after the £21,000 to be taken this year there would remain £58,500 to be voted. The Committee would remember how money had been thrown away at Dover and at Alderney. If the House had voted enough money to buy gunpowder to blow that island out of the water it would have saved the country a couple of millions. Without going into other cases he might state generally that the expenditure to which the Admiralty was committed to be voted in future years would, after the grants of this year, amount to no less than £4,001,120. In conclusion he said that he thought that it was unfair to the Admiralty to give currency to one-sided statements as to the inefficiency of our fleet, or to engage in verbal disputes which were unworthy of that House.

Mr. LAIRD said, he would confine himself to two or three points which he considered of much importance. First, he was glad to hear from the speech of the noble Lord the Secretary of the Admiralty, that those most important and desirable works —namely, the extension of docks and basins—were to be completed at the earliest possible time. When he first became a Member of the House it was considered that the extension of these works would cause a great expense without a corresponding benefit; but he was glad to hear that the noble Lord had never changed his opinion upon the matter. Before he became a Member of the House he was asked to give evidence before the Committee upon the extension of Chatham Dockyard, but he was unable to do so. The Report, however, was sent to him, and statements in it showed the importance of immediately carrying out the works necessary to remedy the defects of our dockyards. The Report, which was drawn up by a late Civil Lord of the Admiralty in 1861, stated that we had only forty-one acres of basins for the reception of ships while being repaired or refitted; and he believed that at the present time we had only a few acres more. The want of adequate basin accommodation was most prejudicial to the interests of the country, and added greatly to the cost of repairing ships and putting their stores on board. He believed that the cost of the *Achilles* was increased by £25,000 or £30,000 in consequence of her having to lie in the stream three miles away from the dockyard to be finished. Having been a dockowner and a shipowner himself, he might perhaps be accused of looking at the question in a commercial way; but he knew the value of docks to the merchant marine, and what was suitable for general trade could not be unsuitable for the navy. In time of peace the want of accommodation caused serious delay and expense; but Admiral Robinson himself had stated that if we had not proper accommodation for repairing our ships we should in time of war be compelled to double our fleet. Even in a sheltered river like the Thames, it was found necessary for commercial purposes to construct such docks as the London, the St. Katharine, the Commercial, the Victoria, and others on the south side, because commercial men found them necessary to cheapen the working of trade, and those who did not use them could not compete with those who did. In the Mersey there were 400 acres of dock space, on the construction of which £12,000,000 had been expended, and he believed that if a change took place in the American trade more would be required. Graving docks of the largest size had been provided, but there was a constant cry that more were wanted. A merchant who attempted to transact his business in the stream of the Mersey could not compete with one who took his ships into dock and did his business there. The docks on the Mersey yielded a return of more than 4½ per cent upon the outlay; and he believed that the extensions now contemplated would yield the country a return of 20 to 30 per cent in a few years. As to the sale of useless dockyards, the Committee of that House unanimously recommended the sale of the yards at Deptford and Woolwich, and several hon. Members voted for the sale of Pembroke also. He himself voted for the sale of these dockyards, because it would save the country £40,000 a year in mere expenses, and because he believed it would be to the interest of the country to concentrate the building as well as the repairing of ships at Chatham, Portsmouth, and Devonport. If that was done, when vessels came in to be repaired, men might be taken off new work to do what was required, and the ships might be refitted and immediately sent to sea again; while at Pembroke it might be necessary to be always building ships to keep the men together. The noble Lord (Lord Clarence Paget) seemed to be against the sale of Pembroke; but he hoped the Government would consider well before they went to any great expense in respect of that yard. Of the £1,500,000 which was to be laid out at Portsmouth, only £20,000 was asked for this year, and the noble Lord said that that was as much as they could spend in a twelvemonth. He thought that the noble Lord must have been badly advised upon that point, because he knew works on the Mersey on which £600,000 or £700,000 had been judiciously expended annually. In his opinion it was the interest of the country to complete these works as rapidly as possible; and it was more advisable to raise money for the purpose of completing these public docks, which were essential to the well-being of the service, than for the purpose of erecting fortifications to protect dockyards which were utterly inadequate for the requirements of the service. He hoped they should hear that Government had taken some measures for the completion of the dockyards at Chatham, Portsmouth, and Devonport within the next three or four years. Then there was the question as to dockyards on foreign stations. He regretted that nothing had been said relative to Bermuda, as ships were constantly coming home from the American coast for repairs, which if there were proper accommodation might easily be repaired at that station. This was a point that in case of war would be of the utmost importance, as half the fleet might be disabled and have to be sent home in that condition to be repaired, and thus a great deal of time would be wasted and a great risk incurred. He had no hesitation in saying that if proper accommodation for repairing our fleet were provided at that station, its efficiency and, therefore, the power of this country, would be greatly increased. Another point he would refer to was the much debated question as to what description of vessels were required for our fleet, and what kind of guns ought to be placed on board them. In his opinion, it was essential that the vessels should be of great speed and that the guns should be of large size; and the only question then was how were those large guns to be carried? It had been clearly proved by the case of the *Alabama* that if a shot or a shell from those large guns struck a wooden vessel the result would be fatal. That ship was struck by an 11-inch shell, which made a hole in her side four or five feet in diameter, tore up her deck, and so injured her that she went down in a few minutes, as any other wooden vessel would have done under the circumstances. He held in his hand a letter from a naval officer on the subject of the comparison between the English and the American fleets, and it should not be forgotten that during the last American war this country found the American vessels both larger and better armed than our own, and we were placed in consequence in a very bad position compared with our opponents. In that letter it was asked—

> "What ship have we to blockade New York?—The *Defence* and the *Resistance* are, I believe, the only two that would keep the sea then. The *Warrior* and *Black Prince* might; the rest could not.
>
> "What cruising ships have we to protect our trade?—The *Orlando*, *Mersey*, *Galatea*, *Ariadne*, *Doris*, and *Diadem*—that is the lot.
>
> "What could one of our common 50-gun frigates, with their present thirty-five guns, do against the *Minnesota* American class?—The last official reports of the Yankee *Minnesota* class give them, 30 9-inch guns on main deck; 16 8-inch, 1 150-pounder rifle, and 1 11-inch pivot, on upper deck—total, 48 guns. *Brooklyn* class.—22 9-inch and 2 pivots, as above—gun frigates. *Entaw* class.—2 pivots as above, 4 9-inch guns—total, 24 guns. She would be more than a match for our 35-inch 2 24-pounder rifled. According to officers recently come from America, these ships go good twelve knots at sea.
>
> "Would our improved *Alabamas* escape from them; and what chance would they have alongside of them?—Four guns against eight guns."

What description of vessel was required to carry these large guns? It was stated that many of the ships now building were to be armed with 300-pounder guns, and that they would be furnished with machinery for training them. But no gun larger than a 6½-inch gun had yet been worked broadside. Was it not almost a waste of money to build ships for broadside guns of this calibre until it was settled whether or not they could be worked in such a position? What he suggested was, that one or two of these enormous guns should be put on board wooden vessels as broadside guns, and that the ships should then be sent into the Atlantic for two or three months in order to see whether or not the guns were manageable under such circumstances. A somewhat similar experiment was tried in the American navy a few years ago, when it was found that they dare not cast the guns loose in a seaway. But assuming that these large broadside guns could be carried and worked safely, why not arm the *Warrior*, the *Agincourt*, and the *Minotaur*, with them at once, as a few 300-pounder or 600-pounder guns would be far more effective than a number of smaller ones? But all the fresh evidence they obtained on the subject tended to confirm his impression that the only safe mode of carrying heavy guns, with advantage, was in a cupola ship. By means of the turntable, which was one of the principles of Captain Coles's system, the heaviest gun could be trained with the greatest ease — that was the principle on which locomotives were so easily turned on railways. There never was a greater error than was to be found in the impression which had got abroad that good sea-going cupola ships could not be constructed. The hull of a cupola vessel was exactly the same as that of any other vessel, the only difference being in a superior mode of carrying the armament. Mr. Reed attempted to effect the same thing by a box in the centre of the vessel, so that the weight was removed from the ends of the vessel, the result being that she sailed much better. But by Captain Coles's plan that advantage was also obtained. So that the notion that good sea-going cupola ships could not be constructed was simply absurd. He did not make these statements off-hand; for it happened that the firm with which he had been connected constantly received applications for the construction of such ships. It had been stated that what was required was a vessel capable of carring four 300-pounder or 600-pounder guns, and of steaming fourteen knots an hour. Now, he had stated last year that vessels of 1,200 or 1,300 tons could be built capable of going twelve knots an hour, and of carrying two 300-pounder guns. Such vessels would cost comparatively a small sum. He should like to know what vessels in our navy, of moderate size, could compete with ships of such a class? He was delighted to hear his noble Friend say that they were going to try double screws as applied to large vessels, because he thought a cupola vessel carrying large guns, turning by means of double screws on her centre, as on a pivot, would be the best man-of-war that could possibly be obtained, as she could take up and remain in any position her commander chose. He did not intend to go into details relating to our present cupola ships—namely, the *Royal Sovereign*, the *Prince Albert*, the *Scorpion*, and the *Wyvern*; but in his opinion both the *Royal Sovereign* and the *Prince Albert* drew too much water for coast and harbour defence, for which purpose the two latter vessels, as drawing only sixteen feet of water, were much better adapted, although even they were only designed as occasional sea-going cruisers. We must have, in addition, a class of vessels drawing about fifteen or sixteen feet of water for service, in the event of a war with a foreign country, the coasts and harbours of which were too shallow to be approached by the *Warrior*. Such ships were required far more than the larger class of vessels; and to render them good sea-going boats they must be lightly plated at both ends and the weight kept in the middle. The old question as to the relative advantages of wood and iron for constructing vessels had been revived. He need hardly say that he had always consistently advocated the construction of vessels of iron in the place of wood. He was sure that the wooden armour-plated ships would soon go to pieces, and that all vessels so constructed would get into constant trouble. He believed the real reason of the enormous amount expended in the repairs of vessels was to be found in their being constructed of wood in place of iron. In reply to the inquiries made by the hon. Member for Finsbury (Sir Morton Peto) as to the durability of iron ships, he would not undertake to say how long an iron ship would last; but he might say that an iron vessel, the firm with which he was formerly connected had built thirty years ago, was examined a short time since, when it was found that an expenditure of a few pounds would fit her for active service, and that she would last for many years to come—all she wanted was new engines. Again, in 1839, the same firm had built the first iron vessel for Government service, she had been on the coast of Africa and elsewhere, and he had never heard any complaint of her; she had been in constant employment and was still in use. His hon. Friend the Member for Lincoln (Mr. Seely) made a Motion a few days ago in favour of which much might be said, but the real cause of the excessive cost of the repairs was that when ships came home from foreign service in bad order they were at once paid off and laid up in ordinary, when they got worse daily. Then they were required in a great hurry and were repaired at any cost, instead of due forethought being taken as to what vessels would be required, and those kept in proper order to meet any emergencies that might arise. This course of proceeding would be far better than repairing obsolete vessels at half or two-thirds their original cost. The noble Lord had stated that he was sorry the contract ships being built for the Government were so much behind time. But it should be remembered that they had in that case to undertake an entirely new business, and that the specifications they received from the Admiralty were not strictly defined. It was impossible to build a vessel and complete her to time without a clear specification; and one clause in the building contracts—namely, "all other details as may be required by the inspectors"—was very loose and vague. Hearing so much of the *Bellerophon*, and how rapidly she was progressing, he had thought it best to go to Chatham and see her. He went last July with a friend who was a very experienced shipbuilder, and every facility was afforded him by the authorities. He was much struck with the vessel, and he thought it only fair to say that the greatest possible credit was due to Mr. Reed for the improved mode of constructing her. That gentleman had simplified the mode of construction, and he felt that that vessel must cost the Government 25 or 30 per cent less in wages than the *Achilles.* The foreman said to him, "We can build this ship in half the time taken by the *Achilles*," and he could see that he was right. Everything about her was plain, strong, and easily got up, and he only wished, for the sake of the contractors, that something of the kind had been introduced before. He did not want to cry up any man, but if he had occasion to say a thing which might disparage a man—not willingly, but because he honestly believed him to be wrong—he would do so; on the other hand, when he found him right it would be just neither to him nor to the Committee not to state it. The men said to him, "Oh, if we had only tools, sir, we could do the work so much better;" and they added that they had no stock of iron there. He would tell the Committee that if it were decided that their ships should be built in the Royal Dockyards they ought to be prepared to vote any amount of money that would enable the work to be done in the cheapest way. It was, of course, for the House and the Government to decide whether the ships should be built there, and if they arrived at the conclusion that they should, then the Admiralty ought to be supported in providing themselves with docks, sheds, tools, and every kind of machinery and appliance which could simplify and cheapen their operations. As to some of the ships now building on Mr. Reed's plan, the fault he found with the Admiralty was that they had not worked night and day in getting one of Mr. Reed's ships to sea before going on and spending large sums in constructing ships on that particular plan, without knowing first whether it would answer or not. He hoped Mr. Reed would find all the ships that he was building fulfil his expectations; and if he could get them to float well and sail well he trusted the Admiralty would encourage him; but although he had given the Admiralty every credit for simplifying the construction of the *Bellerophon*, he thought they were to blame for proceeding to build a number of ships without first trying one as an experiment. As to the building of wooden ships, he would say, in justice to Mr. Watts, Mr. Abethell, and one or two other officers who had been in Her Majesty's service, he believed that no men could have been more averse from the building of such ships than these gentlemen. They thought the only way to build iron-clad ships was to make them of iron, and not of wood. But, as the noble Lord had said, the Admiralty yielded to the pressure of the times in that matter. They had been warned of the result; and they, if they remained in office, or their successors if they did not, would hereafter find these ships causing them great trouble. As to plating their ships from end to end, he did not so much blame the Admiralty for that. He recollected that when the *Warrior*, the *Defence*, and the *Black Prince* were built some gentlemen said they were undefended, and not fit to go to sea. But ships plated all over were not found to answer, and doubtless the Admiralty would lighten their vessels at the ends. But he would caution them against building wooden ships, or to leave their ships too much exposed, because a few shells would send them to the bottom, as in the case of the *Alabama*. But they might knock away with shells at an iron ship having numberless compartments, and if she had got her hull all right she would be, as the hon. and gallant Member for Wakefield (Sir John Hay) said, unsinkable. As an old builder of iron ships, he believed they could be made so strong by bulkheads and other appliances as to remain sound and effective long after the *Prince Consort* and vessels of that class were forgotten.

Mr. SCOURFIELD desired to express his satisfaction that the Government had come to the determination not to adopt the recommendation of the Committee for the suppression of Pembroke and one or two other dockyards. With every possible respect for private enterprise, he thought some things rather beyond its sphere. He did not wish to see the Royal Navy depend mainly on private building yards. He believed the public and private building yards had a beneficial effect on each other, and would be extremely sorry to see building at the public yards discontinued. It was very difficult to make an exact comparison of the work done in the two classes of yards. In the one case they knew everything that went wrong; in the other they only heard of what went right. Very large profits were made out of private yards. He had the honour and the misfortune to be a shareholder of the *Great Eastern*, and if half the work in her had come from a Royal dockyard they never would have heard the last of it. He quite agreed with all that had been said of the necessity of providing docks for the repair of our vessels. He was sure the country would not grudge any sum of money to establish docks wherever they were required. Considering the small Votes taken this year for the great works contemplated at Portsmouth and Chatham, he rather compassionated future Chancellors of the Exchequer, who would have to provide large sums for the completion of those works if the proposal as to making large contracts for works were adopted.

Sir HENRY WILLOUGHBY observed, that although many important questions had been raised and ably discussed, they were not necessarily involved in the consideration of the important Vote which the House had to determine. He did not mean to enter upon the great question of ship building, particularly as the question must come again before the Committee on Vote 8. The Committee had been placed in a situation of some difficulty by the course which the noble Lord the Secretary to the Admiralty had pursued. If it was right for him to quote the Report of Admiral Dacres that document ought to have been laid on the table. It was a grave question whether they should press the Government to produce documents which were confidential; but certainly they could not pursue a double line. The noble Lord had an important document in his pocket, which, if produced, would have saved many of the observations of the right hon. Baronet the Member for Droitwich (Sir John Pakington), who had been obliged to speculate on what was in that Report. There should be some clear understanding that if documents were to be quoted they should be laid on the table, in order that every Member might form his own opinion respecting them. He did not quite understand the Estimates as they had been presented to the Committee. He understood the Government to take credit for a reduction of £316,000, for from that sum the cost of two rams and a supplementary Estimate had to be deducted; so that the real saving did not amount to much more than the small sum of £25,000; and this small diminution of expenditure had been obtained by the sacrifice of 2,200 men and 1,000 marines. He certainly did not expect to find the reduction in that shape, and he honestly believed there were many other points on which a saving might have been made without injury to the efficiency of the public service. He wished to know whether the number of seamen and marines which had been voted had been employed during the year which would expire on the last day of the present month. It appeared that in the year 1863-4 the sum of £368,000 was voted for the wages and victuals of seamen more than was required. That showed a miscalculation of rather a serious nature, particularly if it should be found that the money was expended upon other things. The House voted large sums for one thing, and then, after some time had elapsed, found they had been spent upon another. The Committee on Public Accounts found that millions had been spent in this way, and although upon their Report some improvement had been introduced, and a Vote of the House was now required, the matter was of serious importance. He would be glad, therefore, to hear from the Government some explanation as to whether there was any miscalculation of this kind in the current year, and, if so, what had been done with the money. Another point he thought required looking into. The number of vessels in the Royal Navy had diminished in the current year from 630 to 540. We thus had now ninety vessels fewer than we had last year. It was extremely desirable to know what had become of those ships, or what had become of the money for which they had been sold. They probably cost the nation a million and a half, and they certainly must have produced some considerable sum when discarded. He hoped that the hon. Member for Pontefract (Mr. Childers) would give some explanation on these points; and also on the very considerable increase which appeared in the sums taken for flag officers and the principal officers in the Dockyard Departments, amounting in one case to double, and in the other to treble what they were last year. Probably some portion of the increase arose from the change which had been made in the form of the Estimates; but he should be glad to know how much was attributable to that and how much was *bonâ fide* increase of expenditure. The noble Lord (Lord Clarence Paget) omitted in his speech all notice of these points; but the House ought to have full information as to everything it was about to vote. A good deal had been said in the course of the debate, and particularly by the hon. Member for Lincoln (Mr. Seely), on the subject of navy accounts. He believed that the noble Lord (Lord Clarence Paget) honestly wished to have the accounts put on a fair footing, and the facts detailed by the hon. Member (Mr. Seely) showed that there was considerable improvement. But, after all, accounts were only a means to an end — namely, that of a wise and economical expenditure of public money; and there he was afraid they were as far off as ever. It was utterly impossible for Members of that House to go into the details of Vote 6, for the repairs and refitting of ships involving many hundreds of thousands of pounds. How could they know anything of the merits of the case when they found half a million spent in one item on thirty ships, and £350,000 in another on twenty ships, and £60,000 in two years on two small yachts? This was really the question. It was quite clear that the Government had no good system on which this expenditure was managed. What must be the remedy? Nobody knew more about these points, and particularly when he was in a candid humour, than the late Accountant General, Sir Richard Bromley. The Royal Commission closely investigated the matter, and reported on it that the dockyards all required a better system of accounts. They noticed the total absence of all direct responsibility, and showed that it was impossible for the Civil Lords, being in London, to control this enormous mass of expenditure. They recommended also that all large expenditure should be done upon regular estimates. But something was wanted beyond all this, or they would continue to have, as they frequently had had before, repairs done to vessels which cost more than the value of those vessels. The Commissioners recommended that in every case proper estimates should be prepared which should be signed by two or three chief officers, who should be bound to explain the necessity of what was done and be responsible for it. Sir Richard Bromley said that during his time he had served under fifteen First Lords and ninety-seven other Lords and seven Secretaries; and it was not surprising that the springs of action did not work with much unison. The Accountant General was asked by the Commissioners if he were responsible; and his answer was decidedly in the negative, as the Civil Lords always signed the documents on which he acted. It was, therefore, clear to him (Sir Henry Willoughby) that until they had some system by which responsibility was fixed upon somebody there never would be any economical expenditure of the public money.

MR. BENTINCK said, he had listened with great pleasure to much of the speech of the noble Lord who opened the debate, and only regretted that he could not regard the whole of it with the same feelings of satisfaction. He heard of an addition to the wages of the seamen with pleasure, because he believed that up to the present time they had always been underpaid; and that whenever there was a difficulty in manning the British navy, it was because they were not willing to pay the market price for the article wanted, and were always outbid by the mercantile marine. He also heard with great pleasure the decision to which the Admiralty had come with respect to the dock at Malta; for he never could understand how anybody could arrive at such a conclusion as that announced by the Government last year, and he thought it did great credit to the First Lord that he had the good sense to go out and judge for himself. Differing from his hon. Friend the Member for Birkenhead (Mr. Laird), who was so high an authority on these subjects, he could not rejoice that Pembroke was to be retained at the cost of losing two other establishments. He would not give up any establishments already in existence, because in the event of a war the requirements of the service made it advisable not to concentrate the dockyard power in one or two places, but ships ought to be able to go in for repairs near the localities in which they might have been damaged. This brought him to another question, the proposed abolition of the dockyards at Deptford and Woolwich. In the course of the proceedings of the Committee of last year on this subject, it transpired that a spirit of compromise had entered into the disposal of questions of this nature; and it was said if they wished to retain Pembroke they must give up Woolwich and Deptford. That was, he feared, too much the system on which naval affairs were conducted. But when they came to the necessity of sacrificing one thing for the purpose of saving another, it was a compromise which ought not to be submitted to. Much had been said about the necessity for increasing dock accommodation; and, for his part, he regretted that a larger Vote was not asked for the purpose. If Great Britain had all the ships in the world of what use would they be unless this country had the means of docking them? Without docks there must be three or four ships required to take the place of one, and there must be two or three navies instead of one. This was the reason why he regretted that there was not a larger sum asked to provide dock accommodation. But to come to a more grave and serious matter. The House had heard that it was the intention of the Admiralty to decrease the number of seamen and Marines by 2,000 men. Considering that there was nothing in the aspect of political affairs to ensure permanently the pacific intentions of other countries, and that this country must depend on its naval supremacy in the event of a war breaking out, he feared that any reduction in our seamen was most unadvisable. The noble Lord at the head of the Government had shown that part of his policy was to build coast fortifications. With such a policy the reduction in the force of marines—a body of men who could serve as well by land as sea—was incomprehensible. And in what condition was the fleet? The noble Lord the Secretary for the Admiralty had stated that there was to be a great decrease in our shipbuilding, but he proceeded to console the House by the promise of four more ironclads. The building of these ships was certainly a step in the right direction, because, as far as we could see, the ironclads were the only vessels on which reliance could be placed. But at the end of the present year there would be only thirty armour-plated vessels complete, with the exception of one, and out of those only nineteen would be sail of the line. He would be glad to know what proportion those bore to the fleet of line-of-battle ships which were in times past considered necessary for the honour and safety of England, and what had occurred to justify a decrease of that number. They had heard a good deal in the House of Commons about reconstruction of the navy, and he would be glad to know when they were to see some proof of it. Hitherto the reconstruction had been really a systematic reduction. As it was admitted that wooden men-of-war were useless for certain purposes, the navy of Great Britain must consist at the end of this year of only nineteen sail of the line upon which this country could depend for the defence of its shores and the protection of its commerce. He was glad to see the noble Viscount at the head of the Government in his place, and he would be glad to hear from him whether in his opinion the general aspect of affairs was such as to justify what could only be described as a great reduction of the maritime power of this country. Hon. Members below the gangway on the other side of the House were continually calling for economy, and with the exception of the hon. Member for Finsbury (Sir Morton Peto), who was anxious to maintain the defences of the country in their efficiency, they appeared to imagine that hon. Members on his side of the House advocated extravagance without having any object in view. That, however, was not the case. Hon. Members on his side of the House were as much averse to taxation as any Englishmen could be, and that for the simple reason that they paid taxes. What they objected to was any policy which would have the result of leaving our armaments in an inefficient state; and any economy which would have that tendency must be regarded as the worst kind of extravagance which could possibly be imagined. He believed that the proper economy was to keep the fleet in the highest state of efficiency. They had lately heard an extraordinary doctrine about providing for emergencies when those emergencies arose by working double time. He could hardly conceive a more extravagant and—he would say it with all respect to hon. Members who held that view—a more insane policy, because he believed it must necessarily lead to a hasty and wasteful expenditure. He doubted if any hon. Member would rise in his place and deny that if we had been in a more efficient condition at the commencement of the Crimean war our expenditure would have been enormously decreased. He believed that any reduction of our naval power was most uncalled for and inexpedient, and he hoped that the turn which the discussion had taken would not only elicit from the noble Lord at the head of the Government his opinion upon the sub ject, but would also induce the Government to reconsider the policy which they appeared inclined to pursue.

MR. STANSFELD said, a number of questions had been brought before the attention of the Committee which turned upon the general policy of the Estimates that had been laid upon the table. He would leave the subject of increased dock accommodation until Vote 11 was before the House, but would wish at present to speak of other matters. The Votes that were most important were Votes Nos. 1, 8, 10, for they indicated the views of the Admiralty on the mutual relations of men, ships, and guns—relations which had undergone, and were in the process of undergoing, changes which would bring about results second only in importance to the effects which the invention of gunpowder had produced upon warlike operations both by sea and land. His hon. Friend the Member for West Norfolk (Mr. Bentinck), if he would allow him to call him so, had dwelt upon the reduction of seamen and Marines which would follow the passing of Vote 1. It appeared to him that that reduction had been explained in an extremely satisfactory manner by his noble Friend the Secretary of the Admiralty, not only on the point of mere economy, but of efficiency and real power. He showed in a clear manner that the decreased number of men with an almost identical money Vote meant increased pay and increased comforts to officers and men, a higher class of men and a greater proportion of officers, and more educated skill in manipulating the engines of naval warfare. He (Mr. Stansfeld) maintained that a diminished number of men with an increase of powerful machines meant an increase of power. Though hon. Members below the gangway on his side of the House had been reproached by the hon. Member with dwelling on economy, little had been said to-night on this subject; but he would, for himself, venture to put out the proposition that the real question was whether the reduction of men consequent on the Vote could not be safely and wisely carried to a greater extent. He was not dealing with the total of the Naval Estimates or the necessity of a reduction therein, as such a question would be better argued on grounds of national policy. But taking the total as it was, he had to consider how it was best to be apportioned between ships and men; and he asserted confidently that if it were to be appropriated so as within the shortest time to increase to the greatest possible extent the naval power of this country, we ought to take it from the men and give it to the ships. The right hon. Baronet the Member for Droitwich would not deny that we had more men in these Estimates than we could wisely and safely send to sea in the ships we now had in the only contingency worth calculating for—a serious naval war. He gave the Admiralty the greatest credit for their courage in laying on the table for the first time the Controller's programme of the work for the next year, and of the manner in which they meant to apportion their labour power in the yards. It afforded satisfactory evidence of the progress, already referred to by the Member for Birkenhead (Mr. Laird), made in the three great armour ships—the *Lord Clyde*, the *Bellerophon*, and the *Lord Warden*. The *Lord Clyde* was nearly finished; she was launched within eleven months of her keel being laid down, and the other two had been completed 5-8ths; and, looking to the dimensions, the strength, and the novelty of construction, no one would say that that progress had not been most satisfactory. But on looking at the document which he had mentioned, he observed that the completion of two of the vessels, the *Bellerophon* and the *Lord Warden*, was put down as uncertain within the financial year. He thought his noble Friend should understand, in these days, the immense importance, and, he would say, the great money value of time in the production of the new engines of warfare, whether of ships or of guns. Now he (Mr. Stansfeld) knew something of the time it had been the custom to take in building ships; but he knew also that in these days of transition, by the time some of these ships were launched they would be already out of date. They had had a good many discussions in that House relative to the comparative capabilities of private and Royal Dockyards. No one would deny that the Royal Dockyards could compete, in point of quality of workmanship, at least on equal terms with the private yards in the production of ships, or that they could compete with positive advantage in rapidity of construction. The private builder, having a number of customers, could not afford to concentrate all his energies in the production of a single ship within the shortest possible time. But this was just what could be done in a Royal Dockyard. He said that the Admiralty would, in fact, be justified in paying a moderately-increased percentage cost for a powerful and novel instrument of warfare, produced and ready to be sent to sea in one year and a half, instead of in two, three, or four years. He noticed in the programme that a new ship still stronger than the *Bellerophon* was to follow her; but that this new ship was to be advanced only 3-8ths in the course of the year, while the *Bellerophon* would be advanced in this year to the extent of 5-8ths. He did not see why the new ship should not be pressed forward as rapidly as the old one. There were four vessels of what were called the *Amazon* class. They were to be advanced, on the average, 4-8ths. It would be better, he thought, to have two of those ships completed in a year than the whole four merely advanced, so as to be completed in two years. It might be in the recollection of some hon. Members that in the last year he moved for a considerable increase in the labour Vote for the Royal Dockyards; and he based his claim to the liberality of the House on two grounds: the first was the necessity and advisability of concentrating the labour on a few ships, and getting them out of hand in the least time possible; the second was the necessity of working off some of the arrears in the repairs of our ordinary cruising squadrons. In the programme for the coming year, the shipwright strength to be appropriated to repairs and yard work, as compared with the strength to be devoted to the completion of new ships, was put down as three to two. This ought to suggest the question whether they could effect a saving in that expenditure for labour which, if necessary, was not entirely remunerative. We had a double source of expenditure in our dockyards. We had to maintain and repair our ordinary cruising squadrons, which had almost ceased to be part of our real naval strength; and was it not a matter of pressing immediate importance to consider whether we could not effect a saving with reference to our harbour ships, our Coastguard ships, and ordinary cruising vessels, which were said to fulfil the functions of the police of the seas, and to keep up the *prestige* of this country—though he had little faith in the *prestige* which was not based on real power—and whether the sums saved might not be applied to building some of the new ships? He would now say a few words on what had been the particular subject of discussion that evening—namely, the armament and construction of the navy. They had heard from his noble Friend the other night the progress which had been made in ships and in guns; and he thought the noble Lord had put the case very fairly. We were now building ships to carry 300-pounders, and which we had reason to believe were impervious to any guns of lighter calibre. But still everybody knew that there were being made other guns heavier than 300-pounders, which would pierce any ships built or building. Two years ago he went down to Shoeburyness and saw the effect produced by a gun well known as "Big Will." He did not mean to say that the 600-pounder of Sir William Armstrong was the only gun that could produce the result, but he mentioned it because it was admitted to be a safe and a serviceable gun. It seemed to him that we ought not to have a gun of that kind, which we had had for two years, and which we could repeat, without considering how that gun was to be sent to sea. He thought it ought to be an axiom that no gun should be produced which we could not find a ship to carry. He knew that he was here venturing upon professional ground, but he was fortified in his opinion by high authority; besides, he had a strong opinion of the efficiency of what was called general reasoning—that was, that general reasoning would safely reach to a certain point, when more intimate knowledge could be called in to aid. And he had an almost unbounded confidence in the capacity of science to meet a necessity which general reasoning had shown to have arisen. He would ask the Committee, then, to look back to what had been the course—the *rationale*—of armour-plated shipbuilding, and at the point to which we had now arrived. The first notion of an armour-plated ship was one that would keep out shell. That was the object of the *Gloire.* The *Warrior* was the reply of this country to the building of that vessel by the French. The *Warrior* was a great success. Her merits had been attested to-night, and on other occasions. She was practically impervious to the guns against which she was built, and he believed he was correct in adding that, with the experience of successive years, the only fault that could be fairly attributed to her with reference to the point of view for which she was built, was the want of handiness, owing to her great length and the want of adequate turning power, and some of that want of buoyancy which all armour-plated ships exhibited. He could not but think, however, that, as our first armour-ship—although we were passing to the solution of problems which would leave her far behind—she would remain a monument of courage in conception, and skill in design, on the part of those who originated her and carried out the design. Well, then came the turn of the artillerists, to invent guns and missiles that should be able to pierce this armour-plated ship. They succeeded in their turn; and since then it had been nothing but a duel between guns and ships. The most famous instances of these ships were, first, the *Bellerophon,* which was built to carry 300-pounder guns, and which he believed would resist any guns of inferior calibre, and even those guns at long ranges. Next we had the turret ships of Captain Cowper Coles. Captain Coles was of opinion, and rightly, that if the tendency of invention was towards the use of enormous guns—of guns so large that we could not hope to carry more than half-a-dozen on board our largest ships—it must be a matter of vital importance to be able to turn those few guns rapidly, and direct them with certainty against a given point. Thus we started building ships against guns, and we had now got to building ships of the kind in which there was a give-and-take partnership with guns. But we had not got beyond the 300-pounder; whilst we had a 600-pounder which would pierce any ship built or building; but which we could not carry to sea. He did not find fault with what had been done or was doing, and it would be an ungracious task, with the knowledge of the present day, to look back minutely or critically on the process, which he must say was one of experiment and of trial—and he might observe that Admiral Porter's Report showed that even iron broadside ships might be made powerful means of offence. But without making any criticisms of this kind there was something else which we ought to think of and attend to. In these days of transition and invention we ought to be asking ourselves what was the most advanced problem waiting for solution—what was the most advanced starting point from which we ought to begin to think out the design of a ship. That was a most interesting question. To his mind it was this—that the guns had beaten the ships, in the sense that we could not build an invulnerable ship, and that we could not carry many of these monster guns in any ship. If this were true with reference to the carriage by sea of those monster guns, the starting point for our naval constructors must be the gun and not the ship. The ship must no longer be considered a floating fortress, mounting so many guns, manned by such a force, and provisioned as if to stand so many months' siege; but, under the more modern and advanced notion, of the speediest and best designed, seaworthy water-carriage for a gun or guns. He ventured to carry this matter a little further, because one ought not to be contented with criticism alone. One was bound to express his ideas, even if they turned out to be wrong on trial. He would venture to make a practical suggestion to his noble Friend. He would summon the Controller of the Dockyards and the private trade to a general competition, not only in manufacture but in design. He would furnish them with the following indication of the necessities of the case. He must observe that he went almost entirely with the hon. Baronet the Member for Wakefield (Sir John Hay). When he spoke of a seaworthy boat, he did not mean a vessel capable of carrying coals or stores for a given number of months, because it was not necessary to send a single vessel, but he meant a vessel that would be able to cross the Atlantic. The following essentials should be put forth, and in the following order of merit:—The first thing should be speed, with a capability of carrying big guns, or a gun of 22½ tons. Speed was necessary to place the big gun where it was wanted. If it were necessary in order to attain that speed to build the water-carriage of such dimensions that three or four guns could be carried as well as one, then he would accept that condition; but if the same speed could be got out of a vessel not larger than was necessary to carry one gun he would like it better, because the carriage would be less and the target for the enemy's fire would also be less, which would half solve the problem of defence. It might be said that it was not safe to carry one gun unsupported; but if two supporting guns were wanted, provided you could get your speed out of the smaller vessel it was safer to have them on two vessels than on one. The next essential would be handiness; that was of vital importance; and the twin screw would give that. Then, lastly, came the quality of defence, which problem, from his faith in his starting point, he believed would be found half solved before it came to be considered, because, fighting with a big gun on board a small ship, the gun would be capable of throwing very heavy shot or shell at long distances, and the fighting would take place at a long distance, and generally stem on, so that but a very small target would be offered to the enemy's fire. He would put it to his noble Friend whether two such small vessels as he had described, which, if vitally injured or sunk, would not involve any serious loss, would not be more efficient than the *Warrior*, the *Minotaur*, or even the *Bellerophon*, which were so much more exposed, and which would be so much greater loss if destroyed. Reference had been made in that debate to the progress of shipbuilding in America. There was a country which had of late been building up its ships and guns—it might be in haste—of inferior materials, and of worse workmanship than our own, but still with a fearless logic and to meet the fearful and immediate necessities of a gigantic civil war. He should not be suspected of mentioning the naval progress of the United States of America as any source of alarm to this country. There might be differences of opinion upon that question, but he disbelieved in the prognostication of danger and evil to fall upon this country when that great civil war should come to an end. But that was no reason why we should not take a leaf out of their book, and learn a lesson from our own kindred, who had gone on in this course under the pressure of the strongest necessity, who possessed the greatest resources, and who had almost boundless ingenuity and fertility of invention. If we only took a lesson from what had been done on the other side of the Atlantic we should rapidly better our instruction. We had better armour-plates than they had in America. Our workmanship was better, more careful and safer; we should not have to work under such a pressure. Our resources were greater, and therefore we should have better work. We should start with the *sine quâ non* of a sea-going ship. Whatever the American *Monitors* might be, no one could imagine that they had been built with the idea of their crossing the Atlantic. He hoped his noble Friend would be able to tell the House before the close of the Session that an attempt had been made to solve the interesting problem they were discussing that night, and that the country was in a fair way of getting that class of vessels which were essential for our naval defence. And he would venture confidently to predict that if the Admiralty applied itself to this task, such a course, while enormously increasing our means of defence, would tend materially to keep down the costliness of the naval service of this country.

MR. CHILDERS said, he was sure he expressed the feeling of the House when he said they were glad to have heard his hon. Friend the Member for Halifax again in a naval debate, and he thought there was no hon. Member, whether a naval officer or a civilian, who must not have derived instruction from the logical speech of his hon. Friend. He rejoiced to hear the clear statement of his hon. Friend on the naval problem of the day as to attack and defence. His hon. Friend had commented on the word "uncertain" being placed on the margin of the programme opposite the names of the *Lord Clyde* and the *Lord Warden*—[Mr. STANSFELD: The *Bellerophon* and the *Lord Warden*]—and in reply he had to explain that there was no uncertainty as to those two ships being finished within the time stated in the programme. The uncertainty was as to the number of 8ths which would be finished within the present financial year. The hon. Member for Lincoln had taken a somewhat unusual course in referring to the details of a former debate; and as he (Mr. Childers) had not expected it he was not prepared to follow his hon. Friend with the minuteness he could have wished. He was unwilling to enter into a controversy with the hon. Member, because his object and that of the Admiralty in the changes they had made, and those which they intended to make, in the accounts were the same. The object of the Department was to put before the

House the results of the year, not merely as a matter of account, but so as to give themselves and the House an effectual control over the operations in the dockyards. He could not, however, in courtesy omit all reply to the hon. Member. The hon. Member said that when he compared the finance account with the expense account, the amount applied to ships, he found a large margin which he was unable to understand; but in several respects the hon. Member had misunderstood his explanation. For instance, the hon. Member said that he had himself excluded the element of coal in his comparison. But he (Mr. Childers) had distinctly given the total figures of the four years—not the reduced figures of the hon. Member. What he had stated on the occasion to which the hon. Member referred was that the sum of the finance accounts of naval expenditure under Votes 8, 9, and 10 in the four years 1860-1 to 1863-4 was £17,169,267; that the sum of the expense accounts for the same period was £13,175,977, showing a difference of £3,993,290. Of this difference a sum of £2,061,381 was for items not in the expense accounts, the chief of them being that of coal. Again, the stock of timber and other articles had doubled during the period, and as the total stock at the end was £5,000,000, a very large allowance should be made on this account. The Committee would remember that a complaint had been made that the stock was getting too low, and hence the increase that had been made in it. From these figures the Committee would see that the difference between the finance account and the expense account, as far as the total expenditure on shipbuilding was concerned, was capable of fair approximate explanation. Nothing more could be given, as no valuation stock account had ever been taken before last April; but he hoped in future to be able to give a statement showing the difference between the amount of stock at the beginning and at the end of the year. The hon. Member had again commented on what he considered to be the extravagant expenditure on different ships, and stated that the *Falcon* had been repaired at a greater cost than that at which it could have been built new. Subsequently the hon. Member, from information which he appeared to have acquired from the hon. Member for Birkenhead (Mr. Laird), raised his estimate of the cost of such a ship; but he still complained of the sum which had been spent on the repairs of the *Falcon.* The true figures were that the hull of the ship cost in repairs £14,051, the original cost having been £20,800. But so far from this being evidence of dockyard mismanagement, the fact was, that she was repaired in a private yard. As far, therefore, as expenditure was concerned his hon. Friend had fixed on the wrong ship. Into the question of conversions he would not enter beyond stating that the rate-book had been adjusted so as to furnish for the future more complete and accurate information. His hon. Friend the Member for Finsbury (Sir Morton Peto), complained that nothing had been done in constructing a dock at Bermuda. He thought his hon. Friend could not have been present when his noble Friend was addressing the House upon this subject, or he would have heard that the Admiralty had decided to send out an engineer, with the view of ascertaining the nature of the works that might be constructed, and he was in hopes that before the end of the Session the Admiralty would be able to make a satisfactory Report on the subject. As to the necessity of bringing the Admiralty under one roof, if the advantage of such a concentration were apparent to his hon. Friend, how much more so must it be to Members of the Department, the transaction of whose business such a step must amazingly facilitate? The preliminary expense, however, involved in such a proceeding, though ultimately it must be productive of great economy, necessarily required that very great care should be exercised in submitting to Parliament any proposal on the subject, and the Department, he hoped, would not be unduly hurried in the consideration of those plans which they might feel it their duty to recommend. Allusion had been made to the old-fashioned character of the buildings in the dockyard, which, it was suggested, must have been put up soon after the Flood. Perhaps it would have been more logical to say a little before the building of the Ark. His hon. Friend, however, on entering into the Estimates, would see that in the present year, instead of patching and altering these buildings, a large sum had been taken for desirable extensions, and a great reduction had been made in alterations. In fact, the item "alterations and reconstructions" no longer appeared in the account. The right hon. Baronet opposite (Sir John Pakington) and his hon. and gallant Friend the Member for Wakefield (Sir John Hay) had somewhat crowed over the alteration in the intentions of the Government with regard to the works at Malta; but although the Government had adopted a plan differing from that originally proposed, they by no means took up the project of the hon. and gallant Member for Waterford (Captain Talbot). That project was for docks at the head of French Creek; in his opinion, an impracticable scheme. But there was another and more important difference. He had read over carefully the speeches delivered in the last Session on this point, and even in the course of the present debate he thought he had heard an expression of opinion to the effect that, after all, the local interests of Malta were nothing to those of the Imperial Government, and, therefore, that possession ought to be taken of French Creek *nolens volens.* That was not the proposal of the Government. They held the same language now which they had done last year as to the advisability of keeping faith with the Maltese people; and consequently their proposal differed very widely from the suggestions put forward on the other side of the House. Again, the Government had been accused of wasteful extravagance at the north-west basin. What they had done was merely to carry down the walls to the rock, leaving the basin itself to be deepened by the Maltese, and the arrangement, he maintained, was one which was not merely right in itself, but eventually would prove economical. He would now pass to other questions. It was quite true, as stated by the hon. Member for Somersetshire (Sir William Miles), that the Estimates provided for seventy-eight lieutenants commanding Coastguard stations, though only twenty-seven were actually employed. The fact was, that in these days lieutenants were not easily to be procured for these commands, and the number was therefore made up from second-class chief-officers, of the rank of warrant-officers; but as soon as lieutenants offered themselves the others would be reduced in equal proportion. The Estimates showed the authorized establishment. Taking up the French Estimates, his hon. and gallant Friend the Member for Aberdeen (Colonel Sykes) had entered into an able statistical comparison of the expenses of the French service compared with our own. His hon. Friend, however, had somewhat underestimated the amounts of the French budgets, which were divided into three classes —ordinary, extraordinary, and *rectificatif.* To arrive at just conclusions it was necessary to add together those three divisions, and the two latter, when tacked on to the ordinary Estimates, would show an addition of nearly £2,000,000. Remarks had been made as to the inadequate amounts taken for great public works. At the proper time he should be able to justify both the amounts proposed to be voted, and the prospective expenditure. In preparing the Estimates for the present year the Government had been very anxious to remove objections on the score of uncertainty and inadequacy, and to show clearly what was meant to be undertaken. They wished to act in the same way as any public company and any man of sense in England would act, by determining, first, the works to be executed, then the time over which the expenditure was to be spread, and then seeing that the work was carried out in the best manner. The amounts, however, which the Government were taking were not so small as might be supposed. The hon. Baronet the Member for Evesham (Sir Henry Willoughby) had asked whether there was this year a surplus on Vote 1. It was not very easy to tell what would be the exact position of the Vote by the end of the financial year, but he did not believe there would be much, if any, surplus on this Vote. He had also been asked in regard to the diminution in the number of ships of the Royal Navy. He had a Return on this subject, from which it appeared that there was a difference of 53,000 tons less on the 1st of February, 1865, as compared with 1864. The accounts, if moved for, would show every ton added to or taken from the navy. He was also asked as to the two first items of Vote 1. There was no real increase, but the Vote had been recast. He trusted that the details contained in the Appendix would have clearly shown this.

SIR JOHN PAKINGTON: Sir, I thought it my duty a few evenings ago to call the attention of the House to the state of our navy, and to raise a question the importance of which no one will deny—namely, whether that vast sum of £57,000,000 granted by Parliament during the last five years has been expended advantageously and with proper judgment and discretion. Sir, I raised that question as fairly as I could, and I called upon the noble Lord opposite for an explanation. The noble Lord has this evening given us this explanation, and I should be quite content to leave the explanation which he has given to the judgment of this House and the country, were it not that my noble Friend has so much misrepresented several portions of my speech, that I feel it my imperative duty to offer some observations to the House. I pass by the tone in which my noble Friend spoke. I confess that the only inference I draw from it is that he felt his case not a very strong one, and that he resorted to it with a view of concealing its weakness. If the case of the noble Lord had been a strong one I do not think that he would have spoken in a tone which I trust the House will do me the justice of saying was very opposite to that in which I addressed the House. But, Sir, I will pass now to the substance of what fell from the noble Lord, and I think I may venture to say that when I separate that substance from the tone of injured innocence which it suited the purpose of the noble Lord to assume to-night, he has left the case pretty much where it was before he addressed the Committee. I agree with the hon. Baronet the Member for Finsbury (Sir Morton Peto) and the hon. and gallant Gentleman the Member for Wakefield (Sir John Hay) in the way they have put the case. What were the points pressed to-night by the hon. Baronet and the hon. and gallant Gentleman, and which were repeated distinctly and ably by the hon. Member for Halifax? They were these—that our men-of-war should have speed, that they should be seaworthy and, if possible, that they should be unsinkable. Experience has taught us that our armour-plated ships may be built with speed, that they may be rendered seaworthy and almost unsinkable. Now, the speech of the noble Lord did not explain or justify what the Admiralty has done with these £57,000,000—his speech went distinctly to this admission—that the men-of-war built by the present Board of Admiralty have not speed, are not seaworthy, and are not unsinkable. The noble Lord, adverting to the inquiries which we had made for certain reports, directed a good deal of his attention to reading Reports from Admiral Smart. [Lord CLARENCE PAGET: No; I only stated the substance of them.] Well, but that makes the case of the noble Lord still weaker than I thought it was. Instead of extracts, it appears that the noble Lord has only given us the Admiralty version of the Reports. He has given us the substance or something of the Report of Admiral Smart on the Channel fleet when he commanded it. The noble Lord intended, I suppose, to give us the views of Admiral Smart as to the sailing qualities of the *Warrior*, the *Black Prince*, the *Defence*, and the *Resistance*. Now, why the noble Lord took up the question of the sailing qualities of those ships I cannot imagine. We have never raised the question of the sailing qualities of those four vessels, and the substance of the extracts which my noble Friend gave us had nothing whatever to do with the subject under discussion. The noble Lord then gave extracts or the substance of Admiral Dacres's Report. [Lord CLARENCE PAGET: The substance.] Oh, the substance only. The hon. Baronet the Member for Evesham (Sir Henry Willoughby) in his speech took exception to the fairness and propriety of this proceeding. I think it is open to great exception, and that the House of Commons has a right to complain of being put in possession of a document of such importance in this indirect and partial manner. It would have been better if he had kept it back altogether. The noble Lord would not have done wisely had he kept it back, but if we are to have it at all we ought to have it in its entirety. So far as I am able to judge of the Report it seems to me to confirm entirely what I said the other night, and what has been said by several hon. Members to-night. The Report appears to confirm our views and the idea that Admiral Dacres did not find his armour-plated ships to be seaworthy and good ships. But the point on which I am desirous of touching is as to what he said in reference to the *Defence*. Now, I must ask my noble Friend's attention to what I really said about the *Defence*. The noble Lord stated that I told him that the *Defence* would neither fight nor swim. I said nothing of the kind. I think when he did me the honour to refer to the speech I made only three days ago he should have quoted it correctly. I distinctly stated that the *Defence* had the reputation of being a good sea boat; but I put to the noble Lord a plain question to which he has given no reply whatever. The hon. Baronet the Member for Finsbury (Sir Morton Peto) has stated that the *Warrior* and the *Black Prince* were so devised by the able builder who designed them, that if they were wounded in an unprotected part it was a matter of calculation that would be brought down into the water so many inches. What I stated the other night with regard to the *Defence* and *Resistance* was, that I was informed that in building these ships—the first which the present Admiralty constructed—they disregarded the advice of the Controller and Chief Constructor of the Navy; that they had taken it upon themselves to build them, though they were not men of science, and that the result was that if the *Defence* and *Resistance* went into action and were wounded in their unprotected parts, instead of being brought down a few inches in the water, they would sink altogether. I asked the noble Lord whether the facts were not so, but he has not thought proper to reply to any part of my statement. He leaves me, therefore, to come to the conclusion that at the very commencement of his official career the Admiralty did commit, as it appears to me, an almost incredible indiscretion in taking it upon themselves to disregard the advice of the competent men they had at their command, and the consequence is that the ships are not what the public had a right to expect. The noble Lord, in the most triumphant part of his speech, asked me, "How can you reproach the Admiralty with having plated ships from stem to stern when the French have done the same?" Why, the French experience was the very ground of the objection which I took to the course pursued by the Admiralty. In all the discussions of the last year the Admiralty were warned not to plate their ships so; that warning was founded upon the French experience, and the French are proceeding to alter their armour-plating. But, in spite of warning, the Admiralty persevered at enormous expense in plating eight or ten of these ships in such a manner that they cannot be seaworthy. [Lord CLARENCE PAGET: No, no!] It does not, however, require the noble Lord's admission, for it is admitted on all hands that such ships are not fitted for heavy weather. I never, however, questioned that the *Enterprise* was a good sea boat. I am glad to have elicited from the noble Lord, though he was rather severe on me, that the instructions given to the officer commanding the Channel fleet not to expose the ships in heavy weather were those which are properly and systematically given every year to the Admirals commanding fleets, not to unnecessarily expose their ships in heavy weather. That, there can be no doubt, is a judicious instruction. The noble Lord has greatly misrepresented what has been said by various speakers in this debate with reference to wooden ships. He says that I was the cause of it because it was the consequence of the alarm I raised two or three years ago with regard to the progress the French Government was making with reference to armour-plated ships. But surely the noble Lord cannot have not forgotten that on that occasion he was entreated by the House not to persevere with the building of wooden ships beyond those that were commenced, it being the opinion of every competent person that iron ships were the best to carry armour; but nothing could prevent the Admiralty from going on with them—nothing could alter their determination. The noble Lord has tried to fasten on me a mistake between the *Prince Albert* and the *Royal Alfred* made in *The Times*. When I saw the error in the report I thought it one not worth noticing, and I hold it to be a strong proof of the weakness of the noble Lord's case that he has attempted to found an argument on—supposing it to be a mistake of mine—what was a mere verbal error. But what answer had the noble Lord given to the charge made against the Admiralty with reference to the cupola ships? The *Prince Albert* was commenced three or four years ago. [Lord CLARENCE PAGET: Five years ago.] Is she finished now? Other ships have been hurried forward. Why has not the *Prince Albert?* I say the Admiralty ought to control these things, and I suspect very strongly that if the *Prince Albert* had not been a turret ship she would have been pushed forward and would have been in the water long ago. And what explanations has the noble Lord given of the extraordinary proceedings going on with respect to the *Royal Alfred*? The hon. Member for Finsbury said that I had understated his case, and declared in the same language that I would have implied that she had been so dealt with by the present builders of the Admiralty that she was not fit to be sent to sea, and that the only prudent thing that could be done with her would be to break her up. What answer did the noble Lord give to that? None, absolutely none. He very prudently passed over the subject. My noble Friend said, in conclusion, that the part of my speech which had given him most pain was with reference to Mr. Reed. I said the same for myself the other night; it was most painful to me to speak as I have done. But I would appeal to the House whether the noble Lord has given any answer to what I said upon the subject, and I think that by far the most serious of all the complaints which have been made as to the conduct of the Admiralty. Has my noble Friend advanced anything which could be reasonably considered a vindication of the conduct of the Admiralty in placing Mr. Reed at the head of the Construction Department? I spoke the other night of Mr. Reed in a spirit of the most perfect fairness. I said that he was likely to become hereafter a very eminent shipbuilder; but I still retain the opinion which I then expressed, that no great Department of the State ever committed a greater error or a greater indiscretion at such a moment of transition as this than the Board of Admiralty committed when they set aside men of great eminence and experience and put in their place a gentleman quite untried, like Mr. Reed.

LORD CLARENCE PAGET: I wish to say one word in explanation. The *Resistance* and *Defence* are built precisely on the same principle as the *Warrior.* If a shot struck her in the unprotected parts it would depress her fifteen inches in the water, instead of sinking her.

SIR JOHN PAKINGTON: We were advised from all parts of England that we could not combine all the qualities we required in the *Warrior* without going to that size. When the Admiralty built the *Defence* they built her 2,000 tons smaller than the *Warrior,* and therefore her flotation was proportionately less, so that a shot which would merely depress the *Warrior* some fifteen inches would render the *Defence* incapable of making way in the water at all.

SIR JAMES ELPHINSTONE thought the person who had most right to complain of the debate which had taken place was Admiral Dacres, for the noble Lord had merely given what he called the substance of his Report instead of giving it *in extenso.* He contended that they were entitled to have the Report before them *in extenso,* and judge of its contents themselves. The hon. Baronet the Member for Evesham, who was an authority upon these matters, had stated that it was not customary to refer to the substance of a paper which was not before the House; and he, therefore, called upon the noble Lord to produce the Report of Admiral Dacres. With reference to the noble Lord's charge of his (Sir James Elphinstone) coming to that House with gossip picked up at Portsmouth, he begged to inform the noble Lord that on going over Portsmouth Dockyard he neither conversed with midshipmen nor lieutenants, but derived his information from much better sources. The noble Lord had also found fault with him for not having brought the state of the *Research* before the House last Session after he had moved for papers. What he stated was that that vessel had been materially damaged by the first discharge of her ordnance; but the Admiralty took refuge in the fact that there was no material part of the ship hurt. But the bulwarks and other parts of the ship were broken, and the carpenter was wounded by the glass which fell upon him. The vessel, however, was not rendered unseaworthy by the discharge. The Admiralty sent her to Sheerness, where she was repaired at a cost of £3,000, and then disappeared, dodging about from harbour to harbour on the coast of Scotland. The gossip was that the Admiralty did not wish to intrust her to Admiral Dacres, as he would have subjected her to too stringent a trial. Since then he (Sir James Elphinstone) had had no opportunity of bringing the performances of this ship under notice until the other evening, when he called her an abortion. The captain commanding her spoke of battening down the ship in a gale of wind. Now, during his seventeen years of sea service he had only seen battening down once, and that was in a hurricane. It was only resorted to in former times in cases of extreme necessity and danger, and if the *Research* had to be battened down in every gale of wind, she was entirely unseaworthy. With regard to the *Royal Alfred,* she had been pulled completely to pieces, and he felt persuaded that it was practically impossible to strengthen her so as to carry the ordnance it was intended to put in her. Of the *Hector* and *Valiant* but little account had been given; but they were, no doubt, the greatest failures which had ever been put upon the water. The machinery of the *Hector* went wrong as she was coming up Channel, and she would have gone on the French coast had the engine not been repaired and the ship got round. If the *Royal Oak* and *Prince Consort* were to be made harbour ships, where would be our fleet? [Lord CLARENCE PAGET had never said that they were to be placed in harbours.] The noble Lord seemed to look on Mr. Watts as a very ancient gentleman, who had retired from active service under the pressure of years; but he was only sixty-four, and if shipbuilding was regarded as an art requiring great mathematical knowledge and practical experience in order to become proficient in it, the age of sixty-four was certainly no disqualification in Mr. Watts. In addressing his constituents the noble Lord said that it was under consideration to ask for a considerable vote on account of docks. But where was this Vote? At Portsmouth only £20,000 was asked for, though he was told on good authority that it would be good economy to spend £300,000 there during the present year. He suggested, however, that the plans for these docks should be considered by a Committee upstairs.

MR. WHITBREAD said, the hon. Baronet (Sir James Elphinstone) appeared to be very angry with the noble Lord the Secretary to the Admiralty for not having produced Admiral Dacres's Report *in extenso;* but he recollected that in 1859 the late Sir Charles Napier having risen to move for a copy of letters from Sir Baldwin Walker to the Admiralty, a right hon. Gentleman made to the Motion the following short reply:—

> "The documents in question were confidential papers presented to the Admiralty, and it would be neither in accordance with precedent nor beneficial to the public service to produce them. He had already communicated the substance of them to the House in the statement he had made in introducing the Estimates."—[3 *Hansard*, cliii. 300.]

Now that was the answer of the right hon. Baronet the Member for Droitwich, who, in reference to the Report of Admiral Dacres, contended that it might have been either kept back or produced *in extenso*, but that the substance of it only ought not to have been communicated to the Committee.

SIR JOHN HAY: What was the subject of Sir Baldwin Walker's letters?

MR. WHITBREAD: The state of the navy. But, passing from that subject, he wished to observe with respect to Malta Dockyard, about which the right hon. Baronet the Member for Droitwich, the hon. Baronet the Member for Portsmouth, and the hon. and gallant Member for Wakefield were so jubilant, that the decision which was at first arrived at in reference to it was perfectly reasonable, although the lapse of time might have made a difference in the bearings of the question.

MR. SEELY, referring to the Admiralty accounts, said, it was quite evident from what had taken place that he and his hon. Friend the Member for Pontefract (Mr. Childers) could come to no agreement with respect to them. He therefore begged to repeat the offer which he had made on a former night, which was that he would meet his hon. Friend and go carefully over the figures, and if it turned out that he was wrong, he would apologize to the House for the statements which he had made. He was, however, perfectly convinced that he had stated what was correct when he said there were several millions of which, on the face of the accounts, no explanation was given. With regard to the *Falcon*, he would simply observe that it mattered not whether she was repaired in an Admiralty or in a private yard if it were true that the repairs cost a great deal more than was necessary. He would add that when Vote 11 came under discussion he would call the attention of his hon. Friend to two or three items, such as the repairs of plant and machinery, and ask him how those repairs were charged under that Vote instead of under Votes 8 and 10.

Question put, and *agreed to.*

Vote *agreed to.*

SIR JAMES ELPHINSTONE moved to report Progress.

LORD CLARENCE PAGET hoped the Vote for Wages and Victuals would be taken.

VISCOUNT PALMERSTON: Surely, as you have voted the men you must give us the money to maintain them.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Sir James Elphinstone,*)—put, and *negatived.*

(2.) £2,945,006, Wages.

(3.) £1,325,694, Victuals and Clothing.

SUPPLY.

REDEMPTION OF THE SCHELDT TOLL.

(4.) £175,650, Redemption of Scheldt Toll.

MR. PEEL moved,

> "That a sum not exceeding £175,650 be granted to Her Majesty to defray the second moiety of the charge payable by Great Britain under the treaty, dated the 16th day of July, 1863, for the Redemption of the Scheldt Toll, to the 31st day of March, 1865."

SIR HENRY WILLOUGHBY asked for information as to the basis of the calculation between the two countries. Why should this country pay half of this moiety?

THE CHANCELLOR OF THE EXCHEQUER said, that the Vote was proposed according to the arrangement between the contracting parties. No new principle was involved in the present Vote. The English Government dissented from the proposal of Belgium that the charge of redemption should be distributed between all countries in proportion to the whole number of tons passing up and down the Scheldt, and Belgium at last assented to charge herself to the extent of one-third in the first instance. The present proposal was to give effect to the arrangement.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;*

Committee to sit again *To-morrow.*

ISLE OF MAN DISAFFORESTATION (COMPENSATION). — COMMITTEE.

Order for Committee read.

MR. PEEL, in moving that the House resolve into a Committee to consider the Isle of Man Disafforestation (Compensation), stated that in 1860 the Legislature of the Isle of Man thought it expedient to pass an Act for disafforesting a certain forest in that island, and Commissioners were appointed to ascertain the value of the different rights, and divide the revenue between the commoners and the Crown. There were certain parties who held under licences according to the custom of the manor lands for which they paid rent, but which were not enclosed and which remained subject to the rights of the commoners. The Commissioners, having no power to deal with their claims, included these lands in the boundaries of the forest, which, after the sale of a certain portion to defray expenses, was divided between the Crown and the commoners. These claimants had since made representations to the Commissioners of Woods and Forests, in consequence of which an arrangement had been come to with the commoners and the local Legislature that the Commissioners should be empowered to examine the claims of those parties, and award them compensation to an amount not exceeding £5,000, one-half to be paid by the Crown and the other by the commoners. The commoners agreed that a sufficient portion of that part of the land should be sold to raise £2,500. The object of the Bill, which he sought to found upon the Resolution which he was about to propose, was to authorize the payment of £2,500 out of the capital of the Crown revenues for this purpose.

MR. AUGUSTUS SMITH thanked the right hon. Gentleman for the explanation which he had given, but urged that the House was bound to examine the provisions of the Bill with great caution, because the people of the Isle of Man were not represented there. He expressed his belief that it would be found that great injustice had been done to certain parties, and characterized this as one of a number of aggressions which the Commissioners of Woods and Forests had been making in various parts of the kingdom to sustain certain rights which they contended belonged to them. This was not part of the original patrimony of the Crown, as it was now called; but was public property bought and paid for out of the Consolidated Fund.

THE CHANCELLOR OF THE EXCHEQUER said, that although this, like every other measure, ought to be carefully examined by the House, there was no reason for suspicion, at all events in the interests of the people of the Isle of Man, for whose benefit alone it was that the Bill was introduced. Whether this was part of the original patrimony of the Crown, or had been purchased out of the Consolidated Fund, was an entirely irrelevant question. It had been treated as part of the Crown lands when the settlement of the Civil List was made with the present Sovereign in 1837, and it must be so dealt with now.

Motion *agreed to.*

Isle of Man Disafforestation (Compensation),—*considered* in Committee.

(In the Committee.)

Resolved, That the Commissioners of Her Majesty's Woods, Forests, and Land Revenues be authorized to pay, out of the Capital of the Land Revenues of the Crown, such sums, not exceeding in the whole £2,500, as may be necessary to meet one moiety of the amount of the Compensation for certain Claims arising out of the Disafforestation of certain Lands in the Isle of Man.

House *resumed.*

Resolution to be reported *To-morrow.*

UNION OF BENEFICES ACT AMENDMENT BILL.—LEAVE.

MR. E. P. BOUVERIE moved for leave to introduce a short Bill to amend the Union of Benefices Act of 1860. As the House were no doubt aware, by that Act the sale of the site of any church which might have become useless by the union of two benefices could only take place by the consent of the Secretary of State, the Archbishop, the Bishop of the diocese, and the Archdeacon. The church of St. Benet's, Gracechurch Street, having become unnecessary by the union of that parish with another, it was proposed, with the sanction of all parties concerned, except that of the Archdeacon, to sell the site. The latter refused to give his consent, because he objected to the whole policy of the Act. The House would probably recollect that the original introducers of the Act did not propose that the sanction of the Archdeacon should be requisite; but the provision was introduced at the suggestion of the hon. Member opposite (Mr. Hubbard); and it being supposed that the Archdeacon would be guided by the opinion of the Bishop whose officer he was, no objection was made to the proposition. The House would doubtless regard the requisition of the sanction of the Archbishop, the Bishop, and of the Secretary of State, as affording ample security to the Church and to the public for the transaction being properly conducted; and, therefore, he now proposed to amend the Act so far as it required the sanction of the Archdeacon. In the case to which he had particularly referred the object was a very good one, as the site of the church was required in order to widen Fenchurch Street, which was a principal thoroughfare in the City, and the proceeds of the sale were to be applied to the endowment of a new church in one of the most crowded districts of London.

Motion made, and Question proposed, "That leave be given to bring in a Bill to amend the Union of Benefices Act."—(*Mr. Edward Pleydell Bouverie.*)

Mr. HUBBARD said, he strongly objected to the omission of the Archdeacon from those whose assent was required for the sale of the site of a church. The assents of the Archbishop of Canterbury, of the Bishop of London, and the Home Secretary, were given as a matter of form to any proposal under the Act; but the office of Archdeacon gave him peculiar functions and peculiar duties in relation to the church—such, for instance, as seeing that the remains of those who had been buried in the churchyard perhaps hundreds of years before were decently and reverently removed. It might be, as the hon. Gentleman had stated, that the Archdeacon in the case referred to had refused his assent to the sale simply because he objected altogether to the policy of the Act; or it might be that he objected because the provisions of the Act had not been complied with by the Order in Council and the proposal of the Commissioners. He, therefore, moved that copies of the Order in Council and of all correspondence between the Archdeacon and the Commissioners on the subject be laid upon the table before leave was given to bring in the Bill.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copies of the Order in Council of the 1st day of November, 1864, for the removal of the Church of St. Benet's, Gracechurch Street:

And, of all the Correspondence on the subject between the Archdeacon of London and the Members of the Church Estates Commissioners,"—(*Mr. Hubbard,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. AYRTON hoped the House would reconsider the useless and wanton alterations introduced into the Act which this Bill was intended to amend. Hon. Gentlemen opposite would render the Church odious if they succeeded in making it merely profitable to the minister without being of service to the people.

Mr. CRAWFORD said, he had every respect for the Archdeacon of London, but was informed that he had set his back against the wall and would not make himself a party to the pulling down of any church, thereby obstructing the execution of an Act of Parliament. This Bill would, therefore, relieve the rev. Gentleman of a duty which he could not perform without wounding his conscience.

Mr. LYGON defended hon. Gentlemen on his side of the House from the aspersion of the hon. Member for the Tower Hamlets, and suggested that it would be better for the House to be put in possession of the views of the Archdeacon in his own words, in order to see whether he had not exercised his discretionary power wisely. If a measure passed on a grave question after full consideration was to be disturbed within a year or two in the manner now proposed, an impediment might be thrown in the way of future legislative compromises being come to by the House.

Sir JOHN SHELLEY saw no objection to the production of the correspondence with the Archdeacon, but thought it ought to satisfy hon. Gentlemen opposite if it were laid on the table before the second reading of the Bill.

Mr. E. P. BOUVERIE did not oppose the production of the papers in question if coupled with other correspondence on the same subject; but complained of the resistance offered to the bringing in of the Bill as very unusual.

MR. CAVENDISH BENTINCK, referring to the application of the term "recalcitrant" to the Archdeacon of London by the right hon. Member for Kilmarnock (Mr. E. P. Bouverie) the other night, said he hoped the hon. Member for Buckingham would persevere with his Amendment.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 21; Noes 11: Majority 10.

LOCOMOTIVES ON ROADS BILL.

On Motion of Mr. HOLLAND, Bill for the further regulating the use of Locomotives on turnpike and other Roads, for agricultural and other purposes, *ordered* to be brought in by Mr. HOLLAND, Sir EDWARD DERING, and Sir JOHN HAY.

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Friday, March 10, 1865.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Attorneys and Solicitors (15) [H.L.] *negatived.*

BARRACKS (IRELAND).—QUESTION.

THE MARQUESS OF CLANRICARDE said, he wished to put a Question to his noble Friend the Secretary for War, with reference to a rumour which prevailed that it was proposed by the Government to sell some of the smaller barracks in different parts of Ireland. He had no objection to a measure of that kind being carried out within reasonable limits and with discretion. There were in Ireland some barracks which it would no doubt be good economy to dispense with; but there were others with respect to which he did not think it desirable that that course should be taken. Among the latter he would instance the barracks in the town of Galway, which he trusted would not be abandoned as a military station. He thought he might add that it would be well, whenever opportunity presented itself, that the troops should be distributed to some extent throughout Ireland, and not be kept always at the Curragh. But the Question he rose to ask his noble Friend was, Whether he would lay on the table a list of the barracks which it was intended to abolish?

EARL DE GREY AND RIPON replied that it had been in contemplation to do away with some of the barracks in Ireland for many years. Indeed, he believed the late Duke of Wellington had under his notice a plan for the purpose, and in 1860 it was proposed that thirty-seven barracks should be disposed of. The list, however, had since been carefully gone through and revised, and the Government had it now in contemplation, through the agency of the Landed Estates Court, to sell nineteen barracks in Ireland. He held the list of those barracks in his hand, and would read it to their Lordships, but that he did not feel quite sure that he could pronounce some of the names which it contained. He would, however, lay it on the table if his noble Friend desired he should do so. He was happy to assure his noble Friend that it did not include the barracks in Galway.

THE EARL OF DALHOUSIE hoped the War Office would not listen to the advice of the noble Marquess with regard to the dispersion of troops throughout the country, for nothing would, he believed, tend more to demoralize the army in Ireland than cutting it down into small detachments, and scattering them in all directions. They had now got to a better state of things both in Ireland and England, and he hoped his noble Friend would not listen to any suggestion to revert to the old system.

THE MARQUESS OF CLANRICARDE said, he agreed as to the impolicy of separating the regiments into small detachments, and it was on that account that he concurred in the expediency of doing away with some of the small barracks.

EARL DE GREY AND RIPON also quite concurred with the noble Earl (the Earl of Dalhousie) in deeming it essential to the efficiency of the army that the various battalions should be kept together, and in that respect he could assure him the Government did not intend to make any charge.

THE EARL OF MALMESBURY hoped the Government would not dispose of such of these barracks as did not cost much to keep up, and sell, as would probably happen, for a mere song. The artillery barracks at Christchurch, which could not have been built for less than £15,000 or £20,000, were once very nearly being sold for £1,700. It was not for him as a civilian to criticize the new arrangements of the army, but he had heard many complaints that the formation of large permanent camps had withdrawn from different counties regiments which might have been maintained there in good discipline during the winter months, and the presence of which was very welcome to the districts in which they were quartered. More than that, however great the benefits of the new scheme might be, it could not be denied that it deprived the officers of the line of the advantages of society which they used to enjoy when they were quartered in towns in various parts of the country.

ATTORNEYS AND SOLICITORS BILL.

(No. 15.) SECOND READING.

Order of the Day for the Second Reading read.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

LORD ST. LEONARDS said, that as the noble and learned Lord had moved the second reading of the measure without a word of comment, it would be necessary that he should himself explain its provisions in order that he might show why he objected to it. This mode of moving the second reading gave to his noble and learned Friend the reply upon him, instead of his having the advantage of replying to the speech in favour of the Bill. The Act might more properly have been entitled, "Attorneys and Solicitors Remuneration Bill." Now, in the measure which his noble and learned Friend introduced last Session, it was recited that the law as it stood with regard to the charges of attorneys was inexpedient and unjust—that was, he supposed, that they were not paid enough. Those words were omitted from the preamble of this Bill, and therefore he presumed that the noble and learned Lord now thought that the law was not unjust. The first clause of the Bill gave to every attorney the power of making a bargain with his client at any time as to the sum for which he would conduct a particular business; although that sum should be in direct violation of the regulations of the court fixing the amount of attorneys' fees in every particular instance. The second clause gave to an attorney interest on his bill of costs from the time of demand. The third provided that an attorney who was executor or administrator might act as attorney to the estate, and charge his fees as such; so that an attorney executor could originate proceedings and carry them on on his own authority, and at his own will, but at the expense of his client. And the last clause provided that an attorney or solicitor might take from his client security for future costs. Such a thing as that had never been permitted by the Courts of England, and ought not to be allowed; because if an attorney could obtain security for future costs he would be utterly reckless, and need not care in what litigation he involved his client. He would show their Lordships what had been the settled practice of the courts of law and equity as to the relation between attorneys and solicitors and their clients. Lord Hardwicke, in a case that was reported in 2 *Atkins*, page 27, said that since the passing of the Act for taxing attorneys' costs, 2 *Geo.* II. c. 23, solicitors had been considered as officers of justice, stated fees had been allowed to them, which they were not permitted to exceed, and in all the courts, more especially in courts of law, certain rules had been laid down to regulate their behaviour to their clients. Lord Loughborough and Lord Eldon had also laid it down as a well known principle of law that, under any circumstances, the charges of an attorney were taxable, and even in cases where he might have already obtained payment the court would interfere if there were any ground for suspecting the existence of any overcharge or fraud on his part. He quoted these authorities to show that the law had always regarded transactions between attorneys and their clients as resting upon a totally different foundation to that of ordinary transactions. Supposing, for instance, an attorney were to purchase his client's estate, it would scarcely be possible for him to maintain such purchase in equity, notwithstanding the value of the property were well ascertained; there must be a dealing at arm's length, as it is termed, and the client must have the advice of a second attorney. The whole system was well devised for protecting the client from the possible improper conduct of the attorney. It would be far from pleasant to him who had had friendly relations for so many years with attorneys to speak of them with disrespect as a class, and he distinctly disclaimed any such intention; still there were persons in that profession, as in others, who might endeavour to take advantage of any Bill giving them uncontrolled power over their clients. As the law now stood an attorney could make no bargain with his client for any given sum for his professional services. The law from the earliest period had provided for the taxation of the costs of attorneys, and the costs which they were entitled to charge had been most accurately determined. From the time of the 3rd of James I. down to the present day Bills have been introduced to regulate the costs of attorneys; but in every case they contained most stringent provisions as between the client and his attorney, and always subjected his charges to taxation. In 1843 the laws relating to this subject were consolidated and amended, by the 6 & 7 *Vict.* c. 73. One of the most material provisions of the Bill was contained in the 37th section, which enacted that no attorney or solicitor should be entitled to commence an action for the recovery of his costs until the expiration of one month after the delivery of his bill, or until it was duly taxed. The 5 & 6 *Vict.* c. 102 provided for the appointment of six taxing-masters, with a salary of £2,000 per annum each, and certain returns showed that the expenses of the taxing-masters' offices amounted to £16,000 or £17,000 per annum. The proposed Bill was intended to strike at the root of all these laws, and to render the office of the taxing-master utterly useless and nugatory. It overruled the general practice and practically repealed all former Acts of Parliament upon the subject, by rendering it lawful for every attorney and solicitor to enter into a contract with his client regulating the amount of his remuneration. There had recently occurred a rather extraordinary case showing what the effect was of a man making an agreement with his client for work to be done, and with which their Lordships were, no doubt, familiar. It was that of Mr. Kennedy, a barrister, who admittedly had carried the case of his client through a long litigation with great tact, judgment, and nerve to a successful issue. He thought that as a barrister he was entitled to make a bargain with his client, and accordingly he did make a bargain with her that he was to receive £20,000 for his services in the suit. The lady did what ladies sometimes would do—changed her mind, and refused to pay the money. Mr. Kennedy, thinking that law was on his side, went to every court in Westminster Hall; but all the courts decided as they ought to have decided—that he was not entitled to recover a single shilling; so that all his ability had been successfully employed for his client without any remuneration for himself. Was Parliament now to enable attorneys to do what barristers could not do? Would their Lordships enable attorneys to do that which, from the nature of things, ought not to be done? Coming to another portion of his noble and learned Friend's measure, he had to observe that in the Bill of last year his noble and learned Friend proposed that if, of two trustees or executors, one, being an attorney, proposed to commence a suit, he would not be entitled to his fees as an attorney unless he had obtained the consent of the other trustee or executor to the suit being instituted; but under the Bill now before their Lordships an attorney in such a position was not required to obtain the consent of his co-trustee nor of his *cestui que* trust, so that his first act might be to institute a suit against himself, instructing himself and paying himself out of the assets. With regard to the second clause, he would remind their Lordships that the Act of 1860 empowered a Judge in equity to order interest to be paid at 4 per cent on taxed costs; and the same Act also enabled attorneys to acquire a charge upon property which they might recover or preserve by their exertions. He objected to the alterations which this Bill proposed; in his opinion, these clauses would, if agreed to, be as damaging to the interests of attorneys, for whose benefit they were supposed to be introduced, as they would be injurious to the interests of the clients. They would lead to inevitable abuses, which would render the present relations between solicitor and client of a less confidential and amicable character than at present existed.

THE LORD CHANCELLOR said, he thought it somewhat unreasonable of his noble and learned Friend to complain that he had introduced this Bill without offering any explanation, because he had introduced much the same Bill last year on the 9th of July, it was read a second time on the 21st, he then explained its details, and a debate took place upon its merits. And when he presented this Bill this Session his noble and learned Friend was absent. Now, if he recollected rightly the substance of his noble and learned Friend's observations, his noble and learned Friend complained of this Bill on two grounds—first, that it altered the law—which would certainly be the case—and next, that it was a law of great antiquity. That complaint, also, was true, for this law, which partook of the error and absurdity of our ancient laws, was practically the last relic which remained in our institutions of the attempt by law to regulate the remuneration of persons employed in any trade, calling or profession. Any man employing a surveyor, architect, or engineer was enabled to enter into a contract with him as to the remuneration which he should receive; but the solicitor and client were debarred from making any such contract. That ancient law of which his noble and learned Friend so much approved, laid down iron rules with respect to the manner in which a solicitor should be remunerated. The first evil attendant on this state of things was that a client, when he employed a solicitor, never knew to what amount of liability he was subjecting himself. If a man wished to sell an estate, and for that purpose applied to an auctioneer or agent, he would learn at once the commission he would be charged; but if he employed a solicitor he had no means of knowing what the amount of his bill of costs would be. He contended, therefore, that it was impolitic to maintain a restriction which prevented solicitors and clients from entering into arrangements which would meet the interests of both parties. The present mode of remuneration was really productive of injury to both parties. The solicitor derived a benefit from delay and procrastination, which were injurious to the client. The longer the time employed in performing the business, the greater would be the solicitor's remuneration. Now, if the parties were allowed to agree upon a certain amount of charge, there would be a pressure upon the solicitor to expedite the business, that he might the sooner receive what was due to him. The great evil of the present system was that the solicitor, in common justice to himself, was compelled to devise a mode of remuneration most injurious to the client, while, at the same time, it was by no means sufficiently beneficial to himself. It was this great vice, this old folly, which the noble and learned Lord sought to maintain. The attorney or solicitor was paid for every instrument which he prepared according to its length, and not according to its value. What was the consequence? Deeds swollen by redundant words, by a vast amount of useless verbosity, until the sense was obscured and the truth hardly discernible, offering great facilities for obscurity, error, and uncertainty. That is the system to which an attorney is now obliged to have recourse in order that he may obtain a proper amount of remuneration for his skill. A deed which at present consists of 100 folios of seventy-two words each might perhaps with advantage be condensed into twenty folios. But in such a case the attorney, being paid according to the length of the deed, would only receive one-fifth of his proper remuneration; so that he was compelled to adhere to a practice which he knew to be injurious, merely because the law prescribes to him only that mode of remuneration. There was an old saying that an attorney was rewarded for length and fined for brevity. His noble and learned Friend had said that very great evils would arise from placing attorneys in a position to be enabled to contract with their clients; but he (the Lord Chancellor) was at a loss to understand what possible evils could arise from that permission being granted. What harm could there be in allowing an attorney to say to his client who wished to sell an estate that the charge would not exceed £150. It must be observed that the Bill did not propose to give that power to any but clients who were perfectly competent *sui juris*, and able to enter into a contract. In all other cases—such as infants or married women—the ordinary bill of costs must still be sent in and be subjected to taxation. Instead of the proposed change being inexpedient, unjust, and mischievous, he believed that, if the profession generally were consulted, they would declare that the present system was inexpedient, unjust, and mischievous, because they are compelled to resort to a mode of remuneration which did not represent that which they ought to have, but which did represent that which they ought not to do. The noble and learned Lord had also spoken of great evils likely to follow from that part of the Bill which gave to the attorney a right to interest upon the amount of his bill of costs. But that was only a right which was enjoyed by all other persons who were employed to do work for others. A man having done his work sent in his bill and demanded payment, and from the time of such demand he was entitled to receive interest as compensation for the money which was detained from him. In the case of an attorney that was not so, but it was difficult to see why an attorney should be placed under disadvantages which no other persons were subjected to. The attorney, in many cases, was obliged to disburse large sums during the progress of the business, and when the business was completed it was only fair that he should receive payment, or be allowed to charge interest. His noble and learned Friend also complained that it was unjust to give to an attorney power to take from his client security for costs; but if there was one point of the Bill which he (the Lord Chancellor) thought would be more beneficial than another it was that very power. That a rule existed forbidding attorneys from taking security for costs had been regretted by many Judges. The Bill did not propose to interfere with the law as it stood with relation to what was called champerty and maintenance; but there were many cases in which a man was unable, for want of means, to recover what was due to him, and it was proposed to allow him to give a security for costs upon the amount he might recover. The object was to offer facility to the obtaining of justice, and to take away an impediment which now deprived many men, who had no other means of recovering it, of property due to them. His noble and learned Friend had made other objections, some of which referred to a clause which, indeed, was open to some question—the clause which provided that professional trustees should be at liberty to act as attorneys or solicitors, and to be remunerated for their professional services to the estate. For his own part, he should have preferred the clause as it stood in the Bill of last year; but that had not been the general feeling of the profession, and in deference to that feeling he had brought forward the clause in its present shape. The clause, however, would prevent much mischief from arising in cases where the remuneration of a solicitor trustee was not provided for. It constantly happened that a testator had great confidence in a particular solicitor or firm of solicitors, and therefore selected that solicitor or one of the firm to be one of his trustees, in order that his estate might have the benefit of the prudence, skill, and knowledge of the individual selected. But then the law stepped in and said that, as the testator had neglected to direct that the individual selected as trustee should act as solicitor and be remunerated as such, therefore the person so acting could not receive any remuneration, and should only be entitled to receive the actual costs out of pocket. There was nothing more discussed and considered in the profession than the question on which the Bill turned. That really was a very inconvenient rule, and he had known many cases of hardship where gentlemen, after devoting their time and attention to the winding-up of a testator's affairs, ultimately found themselves deprived of all remuneration for their labours. If some power could be placed in the hands of the solicitors by which they would be authorized in entering into arrangements with their clients, he thought they might be safely trusted to devise some mode of remuneration which would not only give them a fair return for their skill and time, but would enable them to act in a spirit more satisfactory to their clients. Such an arrangement he was confident would tend to the advantage not only of the clients, but also of the profession itself, for he knew nothing which had done more harm to the profession of the law as a science than the objectionable method in which attorneys had been remunerated. The present system induced long fees; these, in their turn, led to long abstracts, entailing infinite expense in all transactions with regard to real property, and more particularly in the case of unregistered estates. He did not deny that, with regard to the details of the Bill, some particulars might require careful consideration; but, in the main, he trusted that it was worthy to receive the approval of their Lordships' House.

Lord CHELMSFORD said, he so fully agreed with his noble and learned Friend who had first addressed their Lordships that the Bill was vicious in principle, that he thought he was called upon to offer some remarks. He fully concurred also in the opinion of his noble and learned Friend on the Woolsack, that the present mode of remunerating solicitors for what was called conveyancing business was objectionable. In alluding, however, to the "verbosity and redundancy of deeds," he believed his noble and learned Friend had mistaken the effect for the cause; because it was not until 1843 that there was any power instituted for taxing attorneys' bills for conveyancing business unless the bills for conveyancing were mixed up with bills for other business. It was not, therefore, until 1843 that the present objectionable system was introduced; but his noble and learned Friend knew that long before that period leases, settlements, and conveyances had assumed all the verbosity of their present form. He believed that the prolixity of deeds arose from the fact that the practice had been in use for many years, that it had undergone the test of judicial criticism, and that conveyancers were generally afraid of departing from the usual custom, lest they should by so doing incur the chance of creating a flaw in deeds. The conveyancers had adopted the old forms of deed because they were afraid to depart from them; and when it was proposed that the charges for preparing them should be fixed by law, the taxing-officers assumed that the fairest plan of fixing the charges would be by the number of folios they contained. But while his noble and learned Friend justly complained of the present objectionable mode of remunerating solicitors by folios and the number of words in each folio, yet in his Bill his noble and learned Friend proposed still to retain that system except in cases where an attorney was willing to enter into an agreement with a client. He, however, for his part regarded the client as the person who ought to be protected from the attorney. In entering into an agreement with a solicitor the client could not be expected to know what would be a fair remuneration for a solicitor's labour. The solicitor, on the other hand, knew perfectly well what he was entitled to, and would take care in his agreement to realize at least as much as he would have been enabled to charge under the old system. He understood that in Scotland attorneys were remunerated in conveyancing business according to the value of the property, and some such system might, he thought, be introduced into this country. Of course, the percentage upon a large property would not be the same as upon a small one. The method would, however, be much better than the one at present in use. The objection to which he had referred was the least that could be urged against the Bill introduced by his noble and learned Friend. He was afraid that his noble and learned Friend had looked at the subject in too narrow a view. The attention of his noble and learned Friend had been called to an objectionable mode of remuneration in one branch of the profession, and, instead of confining his efforts to finding a remedy for this particular evil, his noble and learned Friend had extended his proposal to the whole of that branch of the profession of the law, and proposed that solicitors in suits of every kind should be permitted to make agreements with their clients. Such a course would place the client at the mercy of his attorney, and enable the latter to extort whatever he pleased. He quite agreed with his noble and learned Friend in the opinion that attorneys as a rule were not likely to enter into any agreements which would be unfair. He quite admitted that as a body they were honourable and high-minded men, and to honourable men conscience was a sufficient law; but they must recollect that there were amongst them men who did not deserve that character, men who were not respectable, and these were more likely than the general body to come in contact with the humbler classes on whom the Bill would enable them to prey. His noble and learned Friend on the Woolsack had described the existing arrangement as a relic of ancient barbarism. He could only say it was a provision made by the Legislature for the protection of one of the parties concerned against the undue influence which the other might exercise over him. In 1605, during the reign of James I., an Act was passed to repress the misdemeanors of attorneys and solicitors, and to prevent unnecessary suits and charges. It was enacted by that statute that no solicitor or attorney should be allowed any fees alleged to have been paid to any serjeant-at-law or counsellor, unless he could exhibit a docket signed by the serjeant-at-law or counsellor acknowledging the receipt of his fee ; and that practice prevailed at the present day. It was also provided that no fees should be recovered by an attorney from any of his clients until the former had submitted a detailed bill of fees. From 1605 down to 1729 there was no inherent power in the courts of law to tax the bills of solicitors, although as officers of the court, solicitors and attorneys were subject to suspension or removal in case they were found guilty of extortion. But in the year 1729 the Act 2 *Geo.* II. c. 23, was passed, whereby it was provided that, before a solicitor could institute proceedings against his client for his costs, he must deliver to him his Bill one month previously, and if, on taxation, one-sixth of its amount were struck off, the attorney was subject to the costs of taxation. That system continued down to 1843, and worked so well that in that year conveyancing and all other business was brought under the operation of the rule. The present measure would deprive clients of that protection, and he thought this was to be regretted. He might remind their Lordships that there were two kinds of costs—the costs between party and party, which the loser was obliged to pay, and the costs between client and attorney, which were taxed, but which each party had to pay for himself. The present Bill, however, would deprive the client of the protection of taxation in regard to the costs he owed to his agent, apart from those which were recognized between party and party by the courts of law.

Lord CRANWORTH said, that the principle of the Bill was to leave clients and attorneys to settle the charges between themselves, and that principle, in his opinion, was so sensible and convenient that he held the burden of argument lay with those who sought to deviate from it. It was true that up to 1843 conveyancing business had not been taxed unless in litigious business; but there was not formerly much conveyancing business exempt from litigation, in consequence of the frequent necessity for suffering recoveries and levying of fines in the case of entails. He doubted whether taxation had done much good in checking the length and tediousness of conveyancing transactions, and he did not know that the Bill would have much effect in that direction, but was at least a right step. There were some of the clauses with which he could not agree, but he believed that the ordinary principle of allowing parties to bargain for themselves ought to prevail in the matter of costs of conveyancing as in other matters; competition would soon produce a class of solicitors who would do the business of the client upon the best terms for him, and so in the long run the client would get the benefit. It should be borne in mind that the case of conveyances was one in which the attorney would have always to deal with educated persons, who might be presumed to be able to take care of their own interests; but then the case of contentious litigation was altogether different, and so far as that was concerned he entirely concurred in what had fallen from his hon. and learned Friend opposite. In that case the costs which the losing party would have to pay were duly fixed by the court, and if by means of any previous contract the attorney was able to get more than the amount so fixed, an injury would thus far be inflicted on his client. He was therefore of opinion that great difficulties would be the result if the House were to depart from the salutary rule that costs in contentious cases should be taxed and fixed by the court. He also objected to the proposal that a trustee being an attorney should be able to charge his own costs; for if there was any one principle better established in equity than another it was that no man having a fiduciary duty to perform should be able to place himself in a situation in which the obligation upon him to cut down expense should be in conflict with his interest to increase it. He did not, he might add, see the remotest reason why a solicitor should not be enabled to take security for costs; but, although he thought the Bill as a whole was of sufficient importance to entitle it to a second reading, he was of opinion that it would require considerable modification in Committee.

On Question? their Lordships *divided*:—Contents 21; Not Contents 23: Majority 2:—*Resolved* in the *Negative*.

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Eversley, V.
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Sydney, V.

Abercromby, L.
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Cranworth, L.
Foley, L. [*Teller.*]
Ponsonby, L. (*E. Bessborough.* [*Teller.*]
Somerhill, L. (*M. Clanricarde.*)
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NOT-CONTENTS.

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Belmore, E.
De La Warr, E.
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Malmesbury, E.

Hawarden, V. [*Teller.*]
Hutchinson, V. (*E. Donoughmore.*)

Bagot, L.
Chelmsford, L.
Colchester, L.
Colville of Culross, L. [*Teller.*]
De L'Isle and Dudley, L.
Dunsany, L.
Kingsdown, L.
Redesdale, L.
Silchester, L. (*E. Longford.*)
Saint Leonards, L.
Walsingham, L.
Wentworth, L. (*V. Ockham.*)
Wynford, L.

LEONARD EDMUNDS, ESQ.; RESIGNATION OF CERTAIN OFFICES BY.

Letters and Documents respecting: Laid before the House (pursuant to order of this Day), and *referred* to the Select Committee on the Resignation by Mr. Edmunds of certain Offices, and on the Pension granted to him by this House.

House adjourned at a quarter past Seven o'clock, till Monday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, March 10, 1865.

MINUTES.]—Supply—*considered in Committee*—Committee—r.p.
Resolutions [March 9] *reported.*
Public Bills—*Resolutions in Committee*—Isle of Man Disafforestation (Compensation.)*

Ordered — Marine Mutiny*; Isle of Man Disafforestation (Compensation)*; Theatres, &c.; Charitable Trusts Fees*; Railway Travelling (Ireland)*.

First Reading — Locomotives on Roads* [63]; Marine Mutiny*; Theatres, &c. [64]; Charitable Trusts Fees*[65]; Railway Travelling (Ireland)* [66]; Isle of Man Disafforestation (Compensation)* [67].

Second Reading—Game (Ireland) [42].

Third Reading — Private Bill Costs* [7], and *passed.*

PATENT LAWS.—QUESTION.

MR. HIBBERT said, he wished to ask Mr. Attorney General, Whether Her Majesty's Government intend to bring in a Bill this Session to carry out the Recommendations of the Commission for inquiring into the working of the Law relating to Letters Patent for Inventions?

THE ATTORNEY GENERAL said, it was intended to introduce a Bill this Session founded on some of the recommendations of the Commission.

REGISTRATION OF COUNTY VOTERS.
QUESTION.

MR. WESTERN said, he rose to ask the Secretary of State for the Home Department, Whether it is his intention to bring in any Measure founded on any of the Recommendations contained in the Report from the Select Committee on Registration of County Voters; and, if not, whether he proposes to introduce any Bill for the amelioration of the present system of County Registration? Since he had given this notice a Bill on the subject had been introduced by the hon. Member for North Northamptonshire (Mr. Hunt), but he hoped the Home Secretary would state the views of the Government.

MR. T. G. BARING said, in reply, that last Session a Bill had been introduced by the hon. Member for East Sussex (Mr. Dodson), founded on the recommendations of the Select Committee; but with respect to this year, that hon. Member was unable to bring it forward again, on account of his now holding the position in the House as Chairman of Committees. The hon. Member for North Northamptonshire (Mr. Hunt), had introduced a Bill founded upon the recommendations of the Select Committee, although, from the explanations of the hon. Member, it appeared that he did not go so far as the Committee. Under these circumstances, it was not the intention of the Government to introduce a Bill on the subject.

STIPENDIARY MAGISTRATES (IRELAND).
MR. FFRENCH.—QUESTION.

SIR HERVEY BRUCE said, he rose to ask the Chief Secretary for Ireland, Whether his attention has been called to the fact of a Stipendiary Magistrate having signed a requisition to the Lord Mayor of Dublin to convene a meeting to form an association for certain political objects; and, if so, whether he considers it consistent with the duty of a Stipendiary Magistrate to sign such a requisition?

SIR ROBERT PEEL said, in reply, that the attention of the Government had been drawn to the circumstance alluded to by the hon. Baronet. The gentleman referred to was Mr. Ffrench, a Roman Catholic, who had been many years a Stipendiary Magistrate, and who had always discharged his duties to the satisfaction of the Government and of those with whom he had been thrown in contact. The Government, however, pointed out the inconvenience that might result from the course he had adopted, and Mr. Ffrench was called upon for an explanation. He admitted that he had signed the requisition, but he expressed his great regret for having done so. He stated that he had only signed the requisition in his capacity as chairman of the Town Commissioners of Cashel. Mr. Ffrench, feeling that he had not acted rightly, had since resigned the latter office, and the Government had not thought fit to proceed further in the matter. He was sure that his hon. Friend if he had been in his (Sir Robert Peel's) position would, under the circumstances, have acted in the same spirit.

MR. SCULLY: For the purpose of putting myself in order, I shall take the liberty to move the adjournment of the House. I rise to protest against the doctrine that a person occupying the position of Chairman of Town Commissioners is to be precluded from signing a Requisition placed before him while acting in that capacity. The signature by no means implies his assent to the principles put forward in the document, and I submit that it is in the highest degree unfair to attack a resident magistrate, and to placard him all over the country as having outstepped his duty, for appending his signature in quite another capacity, and under the circumstances which I have described, to a document placed before him. When I saw the notice upon the paper originally it was couched in much stronger language, and directly imputed to the gentleman conduct "tending to promote political agitation." The language, indeed, was so strong that I thought it not in accordance with the practice of the House, and it was my intention, Sir, to have called your attention publicly to its character. Since then, however, the terms of the notice have been modified; though it still appears to me not quite in accordance with the usual practice of the House, that an *ex parte* notice should be made the medium for putting forward statements and opinions which may or may not be facts, and which, in this instance, are not facts; for it is untrue that in this case Mr. Ffrench signed the paper in the capacity of resident magistrate. I have no communication from Mr. Ffrench, but I am perfectly familiar with the neighbourhood, and I know no gentleman more esteemed by those who have the advantage of his acquaintance. He is a brother of Lord Ffrench, and presumptive heir to the title, and he is a man incapable of giving offence. The hon. Baronet, I am sure, if he knew that gentleman, would not say anything calculated to wound his feelings. [*Cries of* "Question!"] I have moved the adjournment of the House, Sir, and I am quite in order. This is a personal affair—it is a personal imputation on an absent gentleman of high position—and I am not making at all too much of the matter, or viewing it in too serious a light. Why, I saw in a most respectable organ of Irish opinion—a newspaper of politics opposed to my own, and representing the feelings of hon. Gentlemen opposite—I allude to the *Dublin Evening Mail,* which usually expresses itself in courteous terms—a leading article, headed with such a sentence as this, "Stipendiarism on the Stump." [*Laughter.*] That was the way in which the subject was treated in the leading article I speak of; and it stated very plainly that this worthy gentleman would be called over the coals in this House for what he had done. The hon. Baronet, I am sure, is too good-natured to originate a question himself in any shape that would wound a gentleman's feelings. But it is precisely because he is a goodnatured man that he was chosen to put the question—his very good nature has been made use of by others. I reject utterly the idea that a gentleman filling the position of Chairman of the Town Commissioners of Cashel should be precluded from signing a Requisition to the Lord Mayor of Dublin with the simple view of having a meeting convened for certain public objects. This Requisition is placed before him, as Chairman of the Town Commissioners, to sign, and if, having signed it, he is forced to resign his position, the loss is not so much one inflicted upon him personally as on the locality. Really, I have scarcely known any gentleman connected with official life in England who has not taken part in political movements, and that without being charged with promoting political agitation. I think I have heard of the right hon. Baronet the Chief Secretary for Ireland attending public meetings even at Exeter Hall. I do not now say that he was not perfectly right in doing so, but it is evident that he was not fettered by his official position. And I read in the paper only yesterday—in this same *Dublin Evening Mail* — that the Lord Lieutenant attended a meeting in Dublin called the Protestant Young Men's Christian Association. But because a resident magistrate, a man esteemed in the locality where he had resided and acted for twenty years as a most useful official and member of society, attached his name to a document put before him in a totally distinct capacity, he was to be forced out of his position, entailing thereby great loss on the locality. In conclusion, Sir, I have to move the adjournment of the House; and I beg to ask the Chief Secretary for Ireland whether he will consent to postpone the second reading of his Union Officers Superannuation (Ireland) Bill until some time after Easter, when Members interested in the proposed measure can be present from their respective assizes in Ireland?

Motion made, and Question proposed, "That this House do now adjourn."

Motion, by leave, *withdrawn.*

UNIVERSITY OF LONDON.

QUESTION.

MR. GRANT DUFF said, he wished to ask the First Commissioner of Works, Whether he has had under his consideration the Letter from the Senate of the University of London, dated November 10, 1864, on the subject of a Building for the University; and whether he proposes to take any, and, if so, what steps, with a view to meet the wishes of that body, as explained in the specification which has been laid before him?

Mr. COWPER replied, that he had received a communication from the Senate of the University, stating in detail the accommodation they considered necessary for the proper transaction of the business of the University. It was, however, a matter involving several important questions, and was still under the consideration of the Government, no decision having yet been come to.

SEWAGE OF THE METROPOLIS.

QUESTION.

Mr. BLAKE said, he would beg to ask the hon. Member for Bath, Whether, adverting to Mr. Ellis's Letter to the Chairman of the Metropolitan Board of Works (dated 18th February, 1862), a Copy of which will be found at page 415 of the Report on Sewage (Metropolis), and the seventh clause of Mr. Ellis's Tender for the Sewage, which will be found at page 423 of the same Report, as well as Mr. Ellis's examination before the Select Committee of last Session, and in particular his answer to question 2,100, which will be found at page 85 of the same Report, it does not appear that Mr. Ellis's plan does not contemplate pumping the sewage to Hampstead, Highgate, Shooter's Hill, or any other point to which the Metropolitan Board of Works objected?

Mr. TITE said, in reply, that Mr. Ellis in his original proposal to the Metropolitan Board of Works, December 31, 1861, proposed to pump the sewage into covered reservoirs, which would be placed on Hampstead and Shooter's Hill, or such, other high lands as might be approved by the Metropolitan Board of Works. From these two commanding points he could irrigate on either side of the river a much greater area than would be required for the Metropolitan Sewage. These reservoirs at Hampstead and Highgate Mr. Ellis stated would perform another and a very essential service, in enabling the machinery, extending over an area of not less than 1,680 square miles, to be kept under the most perfect control from the point of supply. The true amount (not the rough estimate) would not exceed £3,500,000. The sewage was supposed to be lifted to Hampsted, 431 feet high, and to Shooter's Hill, 412 feet high. The distance from Barking outfall to Hampstead was about thirteen miles, and from Plumstead outfall to Shooter's Hill about four miles. It was not to be expected that the Metropolitan Board of Works would hastily adopt this offer, but the whole question would come before the Committee appointed last night.

TIMBER DUTIES.—QUESTION.

Mr. J. B. SMITH said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it be his intention to rectify the singular anomaly in our Tariff—namely, that while wooden ships and all articles manufactured of wood, are allowed to enter British ports free, the raw material wood is subjected to a duty?

The CHANCELLOR of the EXCHEQUER said, in reply, that the Government were perfectly aware of the anomaly to which his hon. Friend referred. There was, however, more than one way by which that anomaly might be rectified. One mode would be by laying a duty upon ships. He would, however, relieve his hon. Friend's fears on that point by assuring him that Her Majesty's Government had no intention of removing the anomaly in that form. As regarded any further information, he should ask his hon. Friend to exercise his self-denial until the financial statement should be made.

IRELAND — CASE OF PATRICK DOYLE.

QUESTION.

Mr. HENNESSY said, he rose to draw the attention of the right hon. Baronet the Chief Secretary for Ireland to an extraordinary statement of which he had only that day been made aware, and he thought it his duty to bring it under the notice of the Government without delay. It appeared that on Wednesday last a man named Patrick Doyle was tried in Kilkenny as a vagrant; and the account sent to him copied from one of the papers was as follows:—

> "Patrick Doyle was presented by the Grand Jury under an old Act of Parliament for being a vagrant. The prisoner traversed the presentment, and was found guilty of the charge. His Lordship sentenced him to find bail, himself in £20, and two sureties in £10 each, to be of good behaviour for seven years, and in default to undergo penal servitude for seven years."

The report went on to say that the statute of Queen Anne, under which the prisoner was sentenced, gave the Judge power of sentencing such characters, unless they could find sufficient bail for their future good conduct. He wished to inquire if the attention of the Government had been called to this extraordinary sentence. At the same time, there had been sent to him an account of a sentence given by the same Judge, on the same day, in the same court, upon one Edward Carney, who was tried and found guilty of personating a Post Office official and stealing a letter. His Lordship said that as he was not in the employ of the Postmaster General, he would deal with him leniently, and sentenced him to find bail, himself in £100, and two sureties in £50 each for future good behaviour, or in default to one month's imprisonment. He (Mr. Hennessy) begged the attention of the Government to these sentences, and he hoped the Chief Secretary would be able on a future day to state what course the Government propose to take with respect to them.

Mr. ROEBUCK: I have also seen an account of the case in the papers to-day, and their statement is that the person so convicted was "an Irish gentleman who would do no work!"

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

WAR IN NEW ZEALAND.

OBSERVATIONS.

Mr. ARTHUR MILLS, who had given notice "to call the attention of the House to the state of affairs in New Zealand, and to move an Address to the Crown on the subject of the war in that colony," said, that at the close of last Session he had given notice that at the re-assembling of Parliament, if the war in New Zealand were not concluded, he should move an Address to Her Majesty representing that as the Colonial Government had assumed the entire control of the Native policy of the colony, Her Majesty's forces ought no longer to be employed in a contest over which the Imperial Government had no control. The information last received from the colony was to the effect that a new Ministry, with a new policy, had come into power, that they intended in future to fight their own battles and pay their own bills, and that five regiments of Her Majesty's troops were now under notice of recall, and it might therefore be thought that the object he (Mr. Arthur Mills) sought by his Motion had been attained. There would certainly be less need for him to occupy the time of the House at any length. The affairs of New Zealand were at present in a sufficiently complicated state, and he did not wish to complicate them further. He would not, therefore, quote a single syllable from the blue books, but he must be permitted to say that he trusted no State papers would ever again be laid upon the table which would disclose such altercations between public functionaries as those which the New Zealand papers disclosed. He should not raise the question whether Governor Sir George Grey was in the right or not—he was not there to apologize for Sir George Grey; but if ever there was a public servant who was entitled in his absence, he would not say to exemption from the hostile criticism of Parliament, but to the careful consideration of his case, it was the Governor of a distant colony who had at once to carry on a civil war with a hostile race he had been sent to govern, and an official war with the members of his own Administration. That was the position of Sir George Grey. He did not propose to enter into the question whether Sir George Grey was right or wrong, whether he or his advisers were responsible for the escape of the Rangiriri prisoners, who were now entrenched in a position rather formidable to the colonists; nor did he intend to discuss the propriety of the change of capital from Auckland to Wellington. All he would say was this, that if there was any gentleman, whether in or out of Parliament, who was ambitious to succeed Sir George Grey, let him read the papers in the blue book before making up his mind. He would there see what were the possible indignities to which an English gentleman might be subjected as the representative of his Sovereign in a distant dependency. At all events, Sir George Grey had no easy task to perform. In common with many others he (Mr. Arthur Mills) believed we had by no means got out of our difficulties; and that the affairs of New Zealand had not ceased to challenge the consideration of Parliament. They had proposed last Session to strike off £33,000 from the Commissariat Transport Vote on the ground that the war in New Zealand would be over in five months. One month afterwards the noble Lord the Under Secretary for War asked for a Vote for precisely the same amount, on the ground that the war in New Zealand would be ended in five months. He was sure, however, that the Colonial Minister would now be very much obliged to any one who would give him a guarantee that that war would be over in five years. Some people had a rough and ready mode of settling this difficulty. "The Maori race," they said, "was destined to be exterminated, and the sooner the better." The hon. and learned Member for Sheffield (Mr. Roebuck) was one of those who entertained this opinion. Now, it might be true that the brown man was destined to extermination, but it was of no use to discuss the abstract question of his destiny. The question was how England was to fulfil her responsibilities, and settle how the brown and the white man were to live together, so long as the former was destined to last. The war between the two races had been going on almost ever since New Zealand was a colony, and the brown man still showed considerable evidence of vitality, nor if you searched all the annals of heroism would you find any more illustrious than those which recorded the noble resistance of a handful of these Maories against the disciplined forces of Great Britain. Meanwhile, the Imperial Parliament had only two alternatives—either to suspend the constitution of New Zealand, and revoke and annul the colonial policy of the last twenty-five years, or to go forward and accept the policy indicated by the new Colonial Government, and to leave the power and the responsibility of Government in the hands of the colonists themselves. He assumed that the House of Commons was not prepared to cancel the colonial policy of the last quarter of a century, but that, on the contrary, they were determined to go forward in the same direction. Two sets of objectors, however, started up when this was proposed. One section of the colonists said, "We cannot afford to carry out this spirited policy." But his answer to these persons was, "At your own risk, without inducement from the Government, you have chosen to settle in a colony 12,000 miles from home, and you say that we, who have been fighting your battles for so many years, should defend you for ever, although you have absolute control over your own affairs." At this moment the Parliament of New Zealand had as entire control over its own affairs, including questions of Native policy, as the English Parliament had over the affairs of this country. Under these circumstances, the time was come when the colonists should accept the responsibilities of their position, and should understand that they could not have the privileges without undertaking the burdens of freedom. Another class of objectors was to be found among the philanthropists who advocated the cause of the Maori race in this country, but feared to trust their fate to colonial administrators, and to them he would say, "You wish to rescue from ruin the remnant of a noble race, and desire that they should live peacefully and happily side by side with the Anglo-Saxon colonists. Do you then believe that this object will be promoted by maintaining in New Zealand English soldiers, whose business there it is—if they have any business there—to support the colonists in any quarrels, righteous or unrighteous, that they may have with the Natives? Assuming that the colonists are as unscrupulous as their most inveterate assailants here declare, are there no motives of self-interest on which you can rely, and which would induce the colonists, when no longer backed up by English troops, to be more circumspect and more humane than they now are in their dealings with the Natives." So far from being detrimental to the Maories, it was his firm belief that the consequences of the policy now inaugurated would be to promote their enduring interests. But he was not prepared to assume that the colonists were inclined to treat the Natives with the barbarity which was sometimes attributed to them; and he held it to be nothing less than a libel on a community which we had ourselves intrusted with the privileges of self-government to insinuate that they were less disposed than we were to deal humanely with the Maories. There might be isolated instances of selfishness, where some few of the colonists, profiting largely by the commissariat expenditure, urged on the war; but he believed that the colonists generally were sound at heart, and regarded the war as far too serious a thing to warrant the sacrifice of large colonial interests for the benefit of a few adventurers. Those acts did not, he felt persuaded, fairly represent the feeling of the general body. He believed that the conduct of the inhabitants of the Middle Island throughout the struggle had proved the existence of a wise and statesmanlike spirit on their part. He had confidence in the wisdom and humanity of the colonists in the management, not only of their local affairs, but of the Native question, and from the despatches laid on the table he saw reason to hope that the right hon. Gentleman (Mr. Cardwell) was disposed to accept the policy of allowing them to deal with this question. It would be satisfactory to him if the right hon. Gentleman would state what was now the exact position of the colony with respect to the military charges, the Loan Guarantee Bill having fallen through and become waste paper. A correspondence had taken place between the Colonial Office and some other Department of the Government, in which certain terms were set forth as the conditions on which the loan was to be guaranteed. One of these conditions was the payment by the colony of £40 or £50 from the commencement of next year for every infantry soldier above, he believed, a single battalion. However, the New Zealand Loan Bill fell through, and he presumed that all the conditions fell through also, and that now the position of this country with respect to troops in New Zealand was the same as before. It would, therefore, be satisfactory if the right hon. Gentleman would state how that matter stood. He thanked the House for the attention accorded to him while speaking on a question relating to a distant colony; and it was his earnest hope that at no distant day, instead of the colony of New Zealand being a drain on our resources and a cause of constant and serious perplexity to British statesmen and the Imperial Parliament, all classes and both races there would participate in the prosperity and happiness which the policy to which he had adverted was destined to promote.

MR. ROEBUCK: After the distinct mode in which I have been spoken of by my hon. Friend, I hope the House will pardon me if I rise for the purpose of saying a few words upon this subject. I have no doubt that what I am going to say will give great offence to certain parties in this House, because I am about to attack and to expose a great sham. I have often found that a great sham has very ardent supporters. There is one peculiar quality which they assume to themselves, and that is a sort of exceptional right to virtue, and in addition to that, they always assume for themselves the right of abusing everybody who opposes them. Now the sham which I will endeavour to expose is this:—England for the greater part of three centuries past has been a great colonizing country, and in proportion to her colonization has she made every possible effort to extend her dominion, and power, and civilization. An outcry has already been raised by certain parties whom my hon. Friend has called "humanitarians," accusing this country of injustice in her attempts to extend civilization. That occurred when the old men of 270 years ago went first to America. The moment they arrived there they found on the shores of that country a fierce, savage, and vindictive race. And here I would draw a distinction between conquest and colonization. Conquest signifies simply the acquiring of political dominion over a country. The political dominion passes from one hand to another; and that is called "conquest." I will illustrate that by pointing to India. But colonization means more than that—it means not only conquest but dispossession; it means taking possession of the land, driving out the former inhabitants, and placing instead of them, the inhabitants of the colonizing country. The moment that occurs an undying feud arises between the in-comers and the aborigines, an undying conflict that you cannot get over, it must exist, and it will exist. Now, what occurred in the case of New Zealand? New Zealand was colonized not by the Government of England, but in spite of the Government of England. A certain number of people gathered together after the fashion of the old people whom sentimental historians have called the "Pilgrim Fathers." They assembled together at the mouth of the Thames, and signed a paper by which they agreed to subject themselves to a government to be instituted when they arrived in New Zealand. They threw off all subjection to England. England refused to assist them in colonizing New Zealand, and they went out in spite of England. Now I am here to vindicate the conduct of those men. I say they were right; and I say they were right upon two grounds. In the first place, it is quite clear that if they had not taken that step, France would have taken it, and New Zealand, instead of being a British colony, would have been a French colony. I say, therefore, with a view to the interests of England, that the conduct of those Englishmen was wise, just, and politic. Now I go one step further, and I say that these men were wise and right, and just and politic, because they endeavoured to extend the range of English civilization. They were about to dispossess the wild animals of New Zealand, and among those wild animals the most mischievous is the wild man. ["Oh, oh!"] I knew you would cry "oh, oh!" but of that I am quite sure. Now mark the difference.

The aboriginal man lives in a constant state of warfare. That I assert. He is vindictive, faithless, and cruel. That is his character; and where one savage man lived, a thousand civilized men would live. And, therefore, to import English civilization into New Zealand, and to overwhelm the barbarity of the Natives, was doing good in the face of nature, not of men. I assert, then, that the people who went to New Zealand, although they displaced the aborigines, did rightly and justly, for I know no meaning to those words but increasing the happiness of mankind; and I say that if I could establish in New Zealand English civilization in place of original barbarity, I should increase the happiness of mankind, and increase the means of living quietly and happily. I will contrast the results of these two states. Under the aborigines what was the condition of New Zealand? And here I would remark to my hon. Friend, when he talks of the conduct of the people of the middle island, that there are no aborigines in that island; and, therefore, the conduct of the colonists of the middle island, can hardly be applied to the conduct of the people of the North, who have many aborigines to contend with. But I ask the House to contrast the two situations. The aboriginal man was in New Zealand; he wandered over the wilds of that country; he never cultivated the country; he "made it a wilderness and called it peace." That was the actual state in which the Englishmen found it. What will it be when the aboriginal race shall have disappeared? Why, there will be calm from one end of the country to the other. Where ten men lived a thousand will live, and they will live in peace and security and happiness, instead of that wild aboriginal war of which my hon. Friend seems to be so great an advocate. I ask, then, were not those Englishmen wise in their generation to go to that country? Now comes my quarrel with the Government. The Government never would see that that was the case, but they halted between two opinions. They were determined to get all the advantage of colonization, and, at the same time, to conciliate Gentlemen who talk of virtue and honesty. It was, however, only talking. Exactly the same thing was done by the East India Company. They sent out Governor after Governor with despatches, deprecating conquest. They said, "Oh, we do not want conquest; we do not think it wise, politic, or just." But those who were the greatest conquerors were the greatest favourites of the East India Company from the days of Warren Hastings and of Wellesley down to Dalhousie and Clyde. All these men were conquerors, and they were the pets of the East India Company. And so with England. She has taken advantage of every colony that was formed. She could not allow the people of New Zealand to remain quiet, as they would have been, if left to themselves. But she immediately sent out an official. As soon as the official came there was a riot. The English Government sent out a Governor, and they made that wretched farce of a treaty called the Treaty of Waitangi. What does a treaty mean? It means that two independent bodies come to an understanding to make an agreement. But I assert that there was no independent body on the part of the aborigines. We had determined to colonize the country, and, therefore, to dispossess the Natives of their lands. The moment we did that, we created an undying hostility on their part, and there was therefore no one to enter into any treaty with us. When the colonists went to New Zealand they also entered into a farce, but I am not sure it was not a politic farce. They pretended to buy from the aborigines their lands. That was very much as if a man of mature age were to go to a boy of seven years old and say, "I will give you lollypops if you will give me your estate." A savage is a child. That which distinguishes a man of thought is that he looks forward; he foregoes the present in consideration of the future. But it is the peculiarity of the savage to be governed by present impressions. If you display a musket or a dagger, or some gunpowder, or a piece of cloth, he will say, "I will give you anything for it;" but when he has destroyed the gun, or blown up the gunpowder, or carried away the dagger, or worn the cloth, he will turn round and reclaim his land. The whole thing is a farce, an imposition upon the poor unfortunate aborigine, and the Treaty of Waitangi is a union of folly and weakness. The Government ought to have said, "We come to take possession of this country; hereafter we are governors; nobody has any right to any land but that which we give; nobody has any right but that which we give and create." If the Government had said that they would have understood it. But you cheated the aborigine. You made him believe he was somebody. You had made him think that he was a power. You had led him to suppose that he was our equal and that he possessed governing authority. The Native turned round and said, "When you entered into a treaty you guaranteed the possession of our lands." Thus you bamboozled the aborigines, and played the fool with your own people. What ought to be done now? Exactly what the hon. Gentleman recommended, but with a difference. You have interfered. You did not allow the colonists to govern for their own interests, but you have gone on intermeddling with their affairs. What is the consequence? There is a set of men in this country, who turn up their eyes, and put their palms together appearing to pay, and then they go and sell the aborigines percussion caps, ball, and powder; but as my gallant old Friend, who is now dead, the late Sir William Napier—who really was a great man—observed, "I want to know what manner of men it was who supplied arms and ammunition to the savages of South Africa?" I think I know the class of men who supplied the Natives of New Zealand with arms and ammunition. If you had allowed those who went there thirty or thirty-three years ago—when there were no percussion caps, no rifles, no powder—to follow their own course, they would have settled the question for themselves. But no; you had the Treaty of Waitangi, you had free trade in arms and ammunition, and these men have been supplied with arms and ammunition. This is at the bottom of the war. It is the lust of money that has led England's merchants to sell the aborigines the muskets, ball, and powder by which their own countrymen have been shot down. I dare say all I am saying is exceedingly offensive, but it is very true, and there lies its offence. The way to do is to allow colonists to govern themselves, and do as they like. We are not the protectors of the morality of mankind: if we were, I do not know that we offer a very good example. We ought at once to say to the colonists, "We have made a mistake; we have endeavoured to protect the Maories, and we find we cannot do it; a feud has been created by the fact of your becoming colonists; they will be, as they are, your enemies; we cannot prevent it, and we leave you to do now as you ought to have done thirty years ago; the more you advance civilization the better it will be for mankind." You may say to the Maories, "Take your plots of land and endeavour to become civilized men; but any attempt to oppose Imperial dominion, any endeavour to have a dominion opposed to the English power is a thing we will not permit. We will be kind to you after having dispossed you. We will be kind to you, we will give you what you want so long as you behave like civilized men, but the moment you appear in hostility we will put you down." That seems a harsh, ready, and cruel way, but depend upon it that is the right way, and in the long run it will be found the humane way.

Mr. BUXTON observed, that the hon. and learned Gentleman who had just sat down began by saying there were some persons in this country who arrogated to themselves an exceptional right to abuse everybody else. Now, he should have thought that if there was any human being, he would not say in that House, but on the face of the whole earth, who arrogated to himself the exceptional right to abuse everybody else, it was that hon. and learned Gentleman himself. The hon. and learned Member said that in entering into the Treaty of Waitangi with the Natives we acted like the man who gave lollypops to a child to induce him to give up his estate, and that the Maories were as children who could not look forward. But one of the main causes which led to that war was the deliberate and organized attempt on the part of the Natives to prevent the alienation of their lands. He thought it one of the most glorious features in the history of this country that, at any rate, for the last twenty or thirty years, instead of dealing with the aboriginal races of our colonies in the fashion advocated by the hon. and learned Gentleman, the colonists and the Government had felt the responsibility of dealing with them with the humanity and justice that were due to them. The proposal to which his hon. Friend (Mr. Arthur Mills) had called the attention of the House was that Great Britain should withdraw her troops, now amounting to about 12,000 men, from New Zealand upon the understanding that then they should no longer interfere in any way whatever with the internal affairs of that colony. And, upon the whole, though not, he confessed, without having gone through a long period of hesitation, he, for one, had come to the conclusion that this was the best solution of that most difficult problem which the war in New Zealand presented. At one time he had hoped that a settlement of those difficulties would have been found attainable which would have been far more satisfactory than the one now proposed. The best thing for all parties, both for the Natives and for the settlers and for this country, would have been that we should have so far broken the power of the Natives that the whole of the lands occupied by those who had been in arms against us should have been surrendered to us by them. That then the cultivable part of those lands should have been divided into three portions, one of which should have been handed back to the Natives; not, indeed, to the Natives as a nation or as tribes, but that a plot of land amply sufficient for its maintenance should be given back to each Native family with a separate Parliamentary title to it. By that means all these ruinous, tribal rights would have been extinguished which had done so much mischief, while at the same time every Native family would in reality have been placed in a much better position than before. Then another portion of the land should have been devoted to rewarding the volunteers who were induced to go and fight for the colony by a distinct promise to that effect; and a third part might have been retained or sold by the Colonial Government to pay for the expenses of the war. That would have been the ideal settlement of this great difficulty, and he still held that if the Government could have seen their way to such a solution, they would not by any means have been justified in withdrawing our army or making any other arrangement. The plain truth, however, was that such a settlement was not attainable. Then there was another plan which appeared to have had Sir George Grey's sanction, and stood, he thought, on a strong foundation of justice and good sense. This was the proposal to give up the idea of conquering the Natives in the inland districts, especially those of Waikato, and simply to occupy a portion of territory in the neighbourhood of each of the European settlements, and establish a line of defences, partly by armed steamers on the river Waikato, and partly by military posts, so as to keep the hostile Natives beyond those borders. By that means a considerable portion of land would be taken from the Natives and given to the settlers, but of that he should not complain, because the Natives would have ample territory left them, and those who chose to keep on peaceable terms would, he presumed, be allowed to remain within the pale. But then there was a third plan, the one on which the Colonial Government had been bent, and for which they sought the aid of the mother country. The essential idea from which this scheme seemed to emanate was this—that the Natives had been guilty of a flagrant crime in taking up arms, a crime which might justly be punished by the total confiscation of their property, and even by the infliction of death, or of the other condign penalties of treason; and that no terms of peace should be entered into with them, but that they should be utterly crushed by the strong hand, and some even advocated their being completely driven out of their own territories. This idea was embodied, rather more than a year ago, in three Acts, which were passed by the Colonial Legislature. One of these Acts—he spoke deliberately in defiance of the contradictions which that assertion, made by himself and afterwards by the Secretary of State, had met with last year—one of these Acts empowered the Government to take any lands whatever in those districts which have been the theatre of war, whether they belonged to loyal Natives or to the so-called rebels, for the purpose of settling them with European colonists, with the sole restriction that those Natives who could prove that they had not in any way whatever abetted the rebellion might obtain compensation for the lands so taken from them in courts to be established by the Colonial Government. That was the first feature of the scheme. The whole of the land of all the Natives in the disturbed districts was to be placed at the absolute disposal of the Colonial Government. The next branch of the scheme was the Act called that for the Suppression of Rebellion, which authorized the Government to punish any person concerned in the rebellion with death; for which, however, penal servitude or other penalties might be substituted. The same Act suspended the right of *habeas corpus*. It also constituted military courts for the trial of the alleged rebels. It also authorized the detention of any suspected persons, and that without any limit of time. So that while with one hand the Colonial Legislature laid its grasp on all the land of the Natives, with the other hand it consigned all the Natives who might in any way have abetted the rebellion to the penalties of treason. It had been alleged that none of these powers were really intended to be used; but it did not appear to him to be the slightest justification for passing Acts of Parliament that it would be so outrageous to enforce them that no one could ever be suspected of intending it. The third branch of this plan was the Act entitled the Loan Act, according to which a loan of £3,000,000 was to be raised under a material guarantee obtained from the mother country, in order that the colony might have the means of carrying out the policy indicated in the two other Acts; but it was explained that the outlay would afterwards be recouped to the colony by the sale of the lands that would thus be seized. Not a word, however, was said of giving any share of the spoil to the mother country. Now he denied utterly, and with all his force, that the conduct of the Natives could justify measures of such sweeping severity. In the first place, it was preposterous to speak of them as traitors. No doubt the greater number of them acquiesced twenty-five years ago in the authority of the Queen under the Treaty of Waitangi; but, as he showed last year—and he would not go over that ground again—we had not kept the conditions on our side by which they were induced to enter into that treaty. It was, therefore, an outrage upon common sense to speak of the Natives as rebels against the Queen, because they might have in some measure receded from that treaty when we ourselves had virtually set it aside. Well, then, as regarded the origin of the war, he confessed that a more weltering sea of contradictions he had never met with than that in which the question was immersed how and why that war had arisen, and to whom the blame of it was most justly due. He must say, however, that a careful study of all the evidence with regard to it had led him to acquit the colonists of having provoked the war for the sake of the expenditure and spoil which it might bring. On the contrary, he thought that the Colonial Ministers were very anxious to avoid fighting, and that was the general feeling among the settlers. Nor could there be a question that Governor Browne and Governor Grey did their best to escape it. Well, then, the inference might seem to be inevitable that the Natives were guilty of a great crime in commencing it; but the more one studied the whole question the less one was inclined to throw blame on the Natives. No doubt what mainly led toward the war was the conviction that had arisen among them that their lands were no longer safe from the rapacity of the English, and that their existence as a nation, that their independence as well as their property, would slip from them unless they made an effort to preserve them in good time. He did not mean that that feeling led them to fly to arms, but it led them to place those restrictions on the sale of land by individual Natives which ultimately led to collision between them and us. Well, perhaps they ought not to have entertained this apprehension; but various acts were committed by the Government with the history of which he would not weary the House, but which, unhappily, tended powerfully to confirm the Natives in this view. Nor, could any candid man deny that the rapid tendency of events in New Zealand had actually been towards the extinction of the Natives as a nation, and the gradual alienation of their lands. Then, in intimate connection with that feeling was that singular King movement, which, though it looked like an attempt at throwing off the supremacy of the Queen, was admitted on all hands to have been in reality an attempt on the part of the Natives to put an end to the anarchy which prevailed among them, and to give themselves an organization and a head, but without any idea of treason. A number of incidents awakened great suspicion and uneasiness on each side. The Natives were in dread of the colonists, and the colonists were in dread of an attack from the Natives. Some acts of violence inflamed the irritation and anxiety of men's minds, and thus by degrees both sides drifted into war without its being possible to say that either party had wished or intended to draw the sword, or could be fairly blamed for having at length taken up arms. But he ventured to affirm that no one who had carefully studied the circumstances of the case would say that the Natives in renewing hostilities had been guilty of any serious crime. In fact, the war was not one between a Sovereign authority and rebels, but a war that had most unhappily arisen chiefly through a misunderstanding of each other between neighbours; and the Natives had a claim which could not be impugned to be treated, not as traitors who had made themselves liable to the penalty of death and the confiscation of all their property, but as ordinary belligerents. Nor, again, had they forfeited that right by conducting the war with atrocious cruelty. The attack upon the escort near Taranaki on the 4th of May, two years ago, was manifestly regarded by the Natives themselves as a fair act of war. Nor could we complain very bitterly of such an act, remembering such incidents as one which occurred at the end of 1863, when, although the Natives had made signs of submission, and the white flag was flying throughout Waikato, Captain Jackson and his men tracked a body of Natives into the bush, discovered them, not in a fortified pah, but in the forest, attacked them while engaged in Divine worship on a Sunday morning, and shot seven of them. Much had been said of the assassination of settlers, but it appeared that up to the beginning of last year only twelve settlers had been killed, and these murders seemed to have been the acts of excited Natives, which were lamented and disapproved by, at any rate a considerable number of, the other Natives and of the chiefs. Against these lamentable acts they must not in candour omit to recall that in almost every case the Natives gave the settlers time to retire from their territory, and allowed them to do so unarmed and unplundered. Archdeacon Brown was thus sent away, and when he returned long afterwards he found his property still untouched and actually protected from injury by a Native guard. Exactly the same thing happened to Mr. Gorst, who had been forced upon the Natives as Commissioner of Waikato against their will, and was driven away by them; but he, too, was allowed to return to Waikato months afterwards, and take away his property, which had been preserved. The real truth was that, notwithstanding a few distressing occurrences, the war, upon the whole, has been conducted by the Natives with humanity and self-control; nor could he say that without at the same time bearing his testimony to the humanity which had also been displayed by the colonists themselves, who had not been hurried, as they might easily have been, into acts of violence. But, as he had already pointed out, the policy which was sketched out by one Ministry, and was embodied in those Acts by another, and had not been repudiated, so far as he was aware, by that which was now in power, was not one, as he ventured to think, to which the concurrence or aid of this country ought to be given. It was based on the idea that the Natives had forfeited all their rights, both to their property and then to their life itself—a view which he was sure would not be entertained by any rational being in this country. Well, but then the question arose, what course the Government ought to pursue? Some of those who took a warm interest in the Natives of New Zealand would have us maintain our army there expressly in order to put us into such a position of authority that we could dictate the policy to be pursued towards them. He certainly had himself felt much doubt whether that would not be the wisest course. But, upon the whole, he believed that they should be best consulting the good of the Natives themselves, as well as, beyond all question, their own interests, in accepting the proposal made to them by the Colonial Government. It was impossible, in time of war, to maintain a divided authority. Now they had given to the colonists the right of self-government. They had since found it necessary to surrender to them the power of dealing with the Natives; and if they kept up an army of 10,000 or 12,000 men in New Zealand, it was inevitable that that force should be used by the Colonists as an instrument for carrying out their own policy; or else the result must be, as, indeed, they had actually seen during the last year, a disastrous dead-lock, producing the utmost perplexity and confusion on all sides. He believed that things had reached that point at which they could no longer say to the colonists, "We supply you with this force, and therefore you shall act thus and thus." The colonists repudiated any such bargain. They would not be turned from their own course, but would use us as instruments in effecting their purposes. Now, if our army retired from New Zealand, he believed that the colonists would be compelled to acquiesce in treating the Natives not only as belligerents, but in treating them, moreover, as powerful enemies whom it was absolutely necessary to conciliate, because the attempt to subjugate them by sheer force would, if not utterly hopeless, yet be too enormous in its costs. Experience had shown the extraordinary skill of the Natives in conducting their own species of warfare. It was stated last year that during three years at least £5,000,000 had been spent on the war, while only some 150 or 200 Natives had been killed. But the fact was that their Native fastnesses were almost impregnable, and nothing but the power of a country like England on the back of the colonists would enable them to carry out any general policy of extermination or confiscation of land. What he anticipated was, that the colonists would adopt the intermediate scheme to which he referred before, of a kind of fortified border round each settlement, but that they would give up as hopeless the attempt to conquer the Native territory and keep them down by force of arms. Nor could he refrain from adding that, strongly as he disapproved the policy embodied in the three Acts of Colonial Legislature, on which he had been dwelling, still his firm conviction was that the Colonists had no desire to act with undue violence or harshness towards the Maories. A large number of them take a profound interest in the fortunes of the native race, and the strong pressure of the public opinion in this country would act as a wholesome restraint upon them. In short, looking at the question in all its bearings, he was sure that the most statesmanlike course that could be taken was that of acepting the proposal so fortunately made by the Colonial Government.

MR. ADDERLEY said, the hon. and learned Gentleman the Member for Sheffield (Mr. Roebuck) had observed truly that a great nation like this had a tendency to spread itself over the waste parts of the earth, and that a vigorous nation coming in contact with barbarous tribes was likely to predominate; but when he went on to say that a powerful nation, which, coming in contact with barbarous tribes, sought to act with the least possible cruelty towards those tribes, and, whether successful or not, showed itself willing to make every sacrifice to enable it to live with them in peace and social progress—was enacting a farce, and those who recommended such a course were nothing better than canting hypocrites, he must altogether dissent from those virtuous principles of which he claimed a monopoly in that House. The hon. and learned Gentleman said he would rather that we should look honestly on Maories as wild animals. Wild men should be treated by us as wild beasts. That was the more virtuous view which the hon. Member proposed, but in saying so he only succeeded in the object which he proposed to himself in rising to speak, that of saying something offensive to the feelings of everybody else in the House. For his own part, he regarded the attempts made by Englishmen to enable the Maori race to live with them, as creditable to this country. And he did not think the hon. and learned Member for Sheffield was justified in saying that his speech, if it had a practical object was directed to the same end as that which the hon. Member for Taunton (Mr. A. Mills) had in bringing forward his Motion. The object of that Motion was, he believed, to induce the Colonial Secretary to put the House in full possession of the state of affairs in New Zealand, but by no means to embarrass the policy of the right hon. Gentleman, or to induce him to alter that policy, which the hon. Member for Taunton in common with himself hoped might prove successful, and might soon issue in the termination of the wars that had so long afflicted New Zealand, and of that confusion and anomaly so long existing in the relations between the Governor and the Legislature of the colony and between the colony and the mother country. One could hardly believe that thirteen years ago we had conceded self-government to New Zealand, and yet to the present moment were still involved in all the cost of blood and money so freely lavished in internal wars of that colony. The control over the Natives had, indeed, been reserved by the Imperial Government in the first constitutional grant to New Zealand in 1852. But that control over the Natives had been ceded in the amplest terms by the Duke of Newcastle two years ago, and the present Colonial Minister endorsed the policy of his predecessor, drawing, however, the distinction that as long as England maintained the internal defence of the colony, it was necessary for England to retain a voice in the native policy. The Governor, as representative of the Crown, had been carrying on a policy of his own since 1862, which had resulted in 1864 in placing him in distinct antagonism to his Executive Ministers and the Representative Assembly, to which they were responsible. Here was the great anomaly, consisting in the gift of self-government without the responsibility of self-defence, and the reserve of external defence neutralizing the gift of self-government. He hoped this would be taken as an illustration of the fact that the two things must always go together. Self-government could not continue to exist without entailing the responsibility of self-defence; and self-defence was absolutely necessary to give life and vigour to self-government. In 1862, the policy pursued by Sir George Grey of ceding one territory that had been purchased, and re-occupying another that had been relinquished, raised the Maori race in rebellion, and united their forces against the English Government. In the war which this excited, 10,000 English troops were engaged, and the colony at that time refused or held back from raising its own militia, and repudiated its own liability, saying that this country must bear the charges and responsibilities of the war begun through the acts of the Governor. The Duke of Newcastle rightly remonstrated, and urged the colonists to greater vigour in undertaking the suppression of the rebellion, and the consequence was that the local Ministry at last entertained plans for the military settlement of the disputed territory, and passed three Acts—one a Suppression Act, copied from the Irish Rebellion Act of 1788 ; a Confiscation Act, called "The New Zealand Settlement Act," and further made up their minds to raise a loan of £3,000,000. The right hon. Gentleman opposite withheld Her Majesty's assent to the Confiscation Act unless its terms were modified; but he passed an Act of Parliament offering the assistance of the Imperial credit to enable them to raise on more moderate terms one-third of the proposed loan. The war having been suppressed, the Governor quarrelled with his Ministers as to the terms on which the rebels ought to be dealt with, and the Fox Ministry accordingly resigned; their successors, according to the latest papers, appeared to have accepted the modification of the Confiscation Act demanded by the right hon. Gentleman, but declined the offer of the Imperial guarantee. They were willing, as he read their decision, to wind up the policy of the past, and to accept the policy of the future as proposed. They preferred, to their honour, self-government at the cost of self-defence. If that were so, the announcement was highly important and satisfactory; and therefore it was that he attached importance to the Motion of his hon. Friend, which sought information from the Colonial Secretary as to how far these views and speculations were to be depended upon. The offer of guarantee of the Imperial Government of the one-third of the loan had been accompanied by two conditions. The one was that the colony was to pay to the Imperial Government the debt it owed already; and the other was, that in future the colony should undertake its own defence, or if they received the assistance of troops from England beyond one battalion they should pay a certain sum per man. The question was, having given up the Imperial guarantee, did the colony hold itself bound to the terms which had been attached to the offer of the guarantee? He believed they might rely upon the colony repaying its debt to this country as soon as they could; and he also believed that in giving up the loan it meant to say it would give England no further pretext for interference, that it was willing to contribute to its own self-defence and to the payment of any troops that might be sent out to it from this country. In that event we might begin to look at last for an end of the troubles that had so long distracted the colony. It had been supposed that there might be a fresh outbreak in the neighbourhood of New Plymouth, but the colonists drew together at the point which was threatened a strong garrison of local forces and showed a determination to act with vigour. They had further removed the seat of Government from the extreme north to the central point of Wellington, by which might be understood a determination to rally the whole strength of the colony round a central point, and a repudiation of the mischievous suggestion, at one time put forward, that distinct interests existed between the northern and southern islands. If these views were not mistaken or premature the right hon. Gentleman during his tenure of office would have the satisfaction and credit of seeing a great English colony in the South, as he hoped he would soon see one also in the West, assuming at last the vigour and spirit of self-reliance — shaking off the belief that colonial connection implied dependence on the protection of England, a protection which never could be realized and which crushed the strength and growth of the colony.

Mr. MARSH was sorry to believe there was only too much truth in the statement that arms and ammunition had been supplied to the Natives by speculators with a white skin. What manner of men these might have been he was unable to say, but at all events they were very bad men. He wished the hon. Member for Taunton (Mr. A. Mills) could have been induced not to bring on his Motion just at the moment when affairs in the colony were confessedly in a critical state, and when the steamers probably bringing despatches of great importance had been telegraphed.

He must certainly deprecate anything like a general discussion of the question, otherwise the colonists, who were beginning to entertain considerations as to the propriety of self-defence, might think the House had acted with precipitation, if not with discourtesy. In the debate, as far as it had gone, the colonists had been spoken of in a very fair spirit; but much more frequently they were calumniated. The favourite charges against them resolved themselves into three accusations — that they wished to grasp the lands of the Natives, that the Native population were maltreated by them, and that they were anxious for their own purposes that the war should be carried on, refusing all the time to contribute or co-operate. The first of these reproaches was sufficiently displaced by the fact that when a very large tract of land was confiscated, with the approbation of the Colonial Office, the Local Government, gave back three-fourths of this land to the Natives. As to their supposed ill-treatment, the interests of the colonists lay in a directly opposite direction. Native labour was very valuable, and, moreover, the Natives were tolerably industrious and excellent customers of the storekeepers, being very extravagant. A decrease in the population had, no doubt, taken place, but not in the same proportion since the island was settled. One cause in the decrease was the introduction of fire-arms in lieu of less destructive weapons. These were originally given by the Government to a chief who visited England in 1820, and who, when he got back, made use of them to carry warfare into the country. Another cause was the change in the food of the Natives —from fern roots and fish—principally eels—to potatoes and pork. This would probably be as injurious to the Natives as the adoption of a fern root and eel dietary would be to us. Some Natives from Van Diemen's Island, who were removed to an island in Bass's Straits, died very fast, although they were regularly supplied with plenty of food. A surgeon in the navy suggested that this mortality might be explained by the fact that they were a race of hunters, who were not accustomed to eat for two or three days, when they at length got what they called a "tightener." He recommended that their rations should not be given to them so punctually—every other day, for example. His advice was followed, and the Natives got on much better. He did not believe that the commissariat expenditure had been the cause of the war. Three-fifths of the population lived in the Middle Island, and had nothing to do with the commissariat. It was ridiculous to suppose that there would be 100 people in New Zealand who would submit to a hard military life and go through this horrid war for the sake of the commissariat and contractors. Three-fifths of the population would derive no benefit at all from it. He rejoiced that this debate had taken place because it showed that there was no one, however humble, and no dependency, however distant, that could not find an advocate and defender in that House.

MR. CAVE thought the hon. Member for Salisbury had omitted one reason for the diminution of the Natives before our settlement among them, which was, that besides the other unwholesome articles of diet mentioned by him, they ate each other. He did not agree with what had been said about the inopportuneness of this Motion. His hon. Friend had not attempted to embarrass the Government, and he believed that the colonists would be benefited by plain speaking in the House. He wished, however, to clear himself from any participation in what had been said by the hon. and learned Member for Sheffield, whose sentiments he was persuaded were shared by few Members of that House. The hon. and learned Member's bark was worse than his bite; for, although he began by preaching extermination and fire and sword—[Mr. ROEBUCK: No!] Well, if he did not directly preach extermination, he had left it to be inferred that that was the best treatment to follow with regard to man in his savage state. But he finished by suggesting the more salutary and humane remedy of Native cottages and allotments. He thought that this country incurred great responsibility in dealing with the Native races in its dependencies—whether black, brown, or white. It certainly was not what the hon. and learned Member called extending the happiness of mankind to begin by exterminating a race which had, at all events, the rights of first possession. If the House adopted the theory of extermination they would be going back to the example of the Spaniards, whose method of colonizing the New World obtained the execration of mankind. The hon. and learned Member talked of the Native races of New Zealand as wild animals, and said that of all wild animals man was the worst. But what were the people of this country 1,000 years ago? What were the Highlanders of Scotland so late as even as 120 years ago? There were people to be found then who said that massacre was the only thing for the Highlanders, who were deemed incapable of civilization and a curse to their neighbours. They had all heard of the massacre of Glencoe in which that policy had been carried out. Civilization had, however, been carried into those districts, and now the Highlands were as orderly and civilized as any other part of the British dominions. The question whether certain races were capable of civilization or not was ill-fitted for discussion in that House; but it could hardly be said that an experience of thirty years was long enough to justify them in stigmatizing the Maori race as incapable of civilization. He quite agreed in the policy advocated by the hon. Member for Taunton, and adopted by the Government. He thought that the injudicious interference of the Imperial Government—and a Government 12,000 miles off could hardly help interfering injudiciously—had done a great deal of mischief. In the first place, the capital, by the mistake of a Government official, had been placed in the very worst possible place, and where it would be certain to cause, sooner or later, an outbreak among the Natives. He approved the policy now about to be carried out to a certain extent, of making the colonists fight their own battles. He believed it would incline then to a peaceable policy. He could not agree in the assumption that the colonists were not to be trusted with the Native race. We had no right to say that the people who went out from among us to settle in a distant English colony were not as humane as ourselves. *Cœlum non animam mutant qui trans mare currunt.* Still, when two parties of nearly equal strength lived side by side, they were more likely to keep the peace than if one possessed the vast preponderance which Imperial aid gave it. He believed that the present policy of the Government gave a better chance to the finest Native race across whose path, for good or for evil, our expansive destiny had ever carried us.

LORD ALFRED CHURCHILL said, that the Ministry of New Zealand had been nettled by an apparent charge made against them by persons in this country, and also by Her Majesty's representative, that they were by opposing him promoting war. He repudiated, on their part, any such wish or intention. He was one of those who regarded rebellion as only a misnomer for bad Government. He thought that the whole of the evils which had arisen in the colony were owing to our ignorance of the true motives and character of the Natives. He held in his hand a pamphlet written by a rev. gentleman who had investigated this subject, and was eminently qualified to give an opinion upon it. The writer, in describing the King movement in New Zealand, related a conversation which took place amongst the Native chiefs in which William Thompson, one of the principal chiefs, urged the necessity of maintaining peace and good order among the Natives, and said, "I want order and law." The Natives thought that a King would end all these ills. The sentiments of the Natives in the beginning of the King movement were altogether favourable to peace. We had almost succeeded in crushing that movement, and when we had entirely succeeded it would be found to be the worst possible thing, both for the Natives and for the colonists themselves. Governors of colonies were too much in the habit of running their heads against anything in the shape of opposition to their wishes, and upon that point a very strong opinion had been expressed in the case of Colonel Gore Browne. The Natives said of that Governor that he wanted everything, earthly and heavenly, and they wondered why he did not command the sun to shine and the rain to fall upon him alone. He hoped it was now thoroughly understood that the policy of Mr. Weld should be the future policy of the colony. The first movement, on the part of the Natives, for preventing the sale of lands was wrong; but if we had subsidized the King, and come to an arrangement with him, that for the future he should be a party to the sale, the lands might have been handed over to the colonists without trouble. He thought it possible that something of the same kind might still be done. Of course, it was not for the right hon. Gentleman (Mr. Cardwell) to do more than to recommend this policy. He trusted in the interest of this country, which had paid largely for troops, in the interest of the colonists themselves, and in the interest of the Natives, who wished to live in perfect peace with their neighbours, that the policy of Mr. Weld would be the policy of the colony.

Lord STANLEY said, he did not know whether there was very much use in giving expression on this occasion to any theory of colonization. Theories were generally amusing and sometimes useful, but facts were stubborn things, and what was about to happen in New Zealand would follow, totally irrespective of any opinions which hon. Members might entertain, or of any theory which they might lay down in that House. It was quite idle, on the one hand, to talk of the policy of exterminating the Natives, though he did not understand the hon. and learned Gentleman (Mr. Roebuck) to advocate that. He did not think that was a practicable policy, because at this moment we had not succeeded even in putting them down; and it was equally idle to talk of peace, because the Natives were in arms against us, they had the advantage of a very strong country, their blood was up, they had, on the whole, suffered less inconvenience from the war than our colonists, and, whatever our opinion might be about the origin of the war, it was quite plain that there was nothing now for it but to make it clear to both parties that the Europeans had force upon their side. He did not see any advantage now in going into the question of Maori civilization or the future progress of the race. This much he took to be certain, that long before the war they were as a race greatly diminished in number, from causes, as had been variously explained, more or less permanent in their operation, and when this war came to an end the same process would go on, and, as in similar cases, the race would disappear. That he believed had happened in every case in which civilized colonists had come into contact with savages of different races. It was not necessarily a question of violence or expulsion from lands; but the Natives could not bear the change of habits; they could not refrain from drink, which was brought within their reach. That was a temptation which they could seldom resist. Then their mode of fighting, barbarous as it was, served to keep them in the practice of manly exercises and habits; and it had been found in various parts where whatever was possible had been done for the protection of the Natives, that their old habits being put an end to, work being odious to them, and all their former organization and discipline being lost, they gradually degenerated and died out from no assignable cause. So much for the future prospects of the race. But there was one remark which he wished to make upon the cause of the war, because with regard to that the opinion commonly entertained involved a fallacy. It was said that the desire of the colonists was to compel the Natives to sell their lands, whether they would or not. Now, as far as he had been able to learn, that had not been the case. What the colonists claimed was quite different. The Natives claimed a right to prevent any member of the tribe from selling his share of the land. The colonists objected to that, for they said it amounted to a perpetual entail of the land upon the tribes, and to a perpetual exclusion of the colonists, and as no such appropriation would be allowed in Europe there was no reason why it should be allowed in New Zealand. They did not ask that any man should be expelled from his land against his will, but simply that he should not be prevented by his own countrymen from selling if he desired to do so. That seemed a reasonable demand, and the more so because, from the circumstances of New Zealand, the Natives could have no use for the vast quantity of land which they now possessed. If they were a hunting community the case might be different, but in New Zealand not more than a three-hundredth or four-hundredth part of the land was occupied by the Native tribes, nor was the remainder put to any use. But the practical question was, what were we now to do? And upon that point it seemed that the course of events was bringing to a very nearly similar conclusion those who most entirely differed upon the merits of the case. He, for one, felt very strongly last year upon the proposal to guarantee the loan. He objected, because the form of assistance proposed appeared more inconvenient and objectionable than any other. What we had to do generally was to satisfy ourselves that all that the colonists could do in their own behalf had been done, to continue such temporary help as they needed, seeing at the same time that it was kept down to the lowest point, that it was absolutely necessary, and that it was given with the warning that similar assistance would not be repeated after the termination of those hostilities. He was of opinion that injustice had been done to the colonists in the idea which was current that there was a large party in New Zealand who, from interested motives, were desirous of the continuance of the war. No doubt there were a few persons of that description. But let a balance be struck between what was lost by the whole community and what was gained by a few, and how different would be the conclusion at which they should arrive. The belief, therefore, that there was a desire on the part of the colonists to keep up the war in order that they might profit by Imperial expenditure was not well founded. The matter was one of considerable difficulty, and one in which a great deal must be left to the discretion of the Executive. But there was one thing which he hoped would not be done, and that was to give to the Governor, whoever he might be, an authority with regard to the Natives independent of the control of his responsible advisers. It might be a good thing or a bad thing in itself that he should have it, but having to consult them upon all other matters, and therefore upon questions connected with the war, it was quite certain that any such division of duty could only lead to disputes and ill-feeling between the Governor and his advisers, and that was almost worse, if possible, than endeavouring to manage the war by supervision from this country. The principle to be adopted seemed to him to be this, "Limit your aid as much as possible, withdraw it as soon as you are able, remind the colonists that you do not hold yourselves bound to give them military assistance in future cases, but while this war lasts leave them as free as possible to deal with questions that arise, and to carry on and end the war in their own way."

LORD ROBERT CECIL thought that some remarks which had fallen from his noble Friend were calculated to give false ideas of what the Natives really complained of with respect to the land question. His noble Friend said that what the colonists felt aggrieved at was that the Native tribes would not allow individual Natives to sell their land to individual settlers. But the individual Natives had no land to sell. The land was held in common by the whole tribe, and an individual Native had no more right to sell his share without asking his tribe than an individual commoner had in England to carve his bit out of the common and sell it without consulting the rest of the freeholders. The complaint of the settlers, therefore, was wholly unjust, for they were asking that the individual Natives should have a power which the Native law did not allow them to have. His noble Friend might say that this was a bad tenure of land, and a false doctrine in political economy; but sound doctrines of political economy on this point were not put into the schedule of the Treaty of Waitanga, which pledged the honour of the Sovereign of these realms that the rights which Natives then possessed in the land should be secured to them. His hon. and learned Friend (Mr. Roebuck) regarded this treaty with contempt, apparently thinking that promises were less binding when made to the ignorant and the rude; but it was to be hoped that for his own sake his hon. and learned Friend had not often been under the necessity of interpreting his own promises to the ignorant and the rude. Certainly, there were few interpreters of public law besides his hon. and learned Friend who would measure the sacredness of England's pledge by the weakness, the ignorance, or the barbarism of the Power with which she contracted the pledge. His noble Friend, too, had justified the demands of the settlers upon grounds of expediency, entirely ignoring the obligations by which the settlers and the Government were bound, and which were quite apart from any question of expediency. As to the policy recommended by Mr. Weld to the Parliament of New Zealand, and accepted by the right hon. Gentleman, there had been a general and a fortunate concurrence of opinion. Now, he was not often given to descant on the merits of right hon. Gentlemen on the Treasury Bench, but he must say that he quite concurred in the general approval expressed of the manly and consistent policy adopted in this instance by the Colonial Secretary. He wanted to point out, however, that in this policy there lurked a danger to the Natives against which the Imperial Government were bound to guard. They had heard a good deal about self-government. Now, he should interpret self-government to mean the government of one's self, but it seemed to be interpreted as meaning the government of other people—that is to say, the government of 40,000 coloured men by 60,000 or 70,000 whites. This intepretation was now to be brought to a practical test by withdrawing our troops and by giving to the Local Government of New Zealand absolute power on questions of Native policy, and by thus placing the Natives entirely at the mercy of the colonists. He agreed that this was, on the whole, the wisest policy, because, whatever laws you passed, the colonists had it in their power to produce at any time a breach between the Natives and the English Government, and when this was done the only difference between the policy of protection and the policy of independence was that, in the one case, the whole power of the British Empire was arrayed against the Natives, whereas, in the other, they were left to struggle against the colonists alone. Though at first, therefore, to give the colonists this power might seem like an abandonment of the Natives, it was on the whole best to leave the two races face to face to settle their differences. In doing this you were bound to leave both parties in an equal position; but his noble Friend seemed to lean to the proposal that we should first absolutely crush the Natives, making them powerless to stand up against the colonists, and then leave them face to face. This was surely not the best way of securing the rights of the Natives. It was to be hoped that the colonists would be just and humane; but all human beings were fallible, especially those who saw others in the possession of land which they desired to have themselves. It was desirable to do something more than trust to the humanity and justice of the settlers. A more effectual influence would probably be their fear of the Native power, and their knowledge that the Maories were capable of marring the prosperity of the colony, and of producing great confusion and difficulty among the settlers themselves. The force of this influence must not, therefore, be too much diminished; the colonists must not be placed in a position in which they would be able to do as they liked with the Natives without fear of the consequences. He approved of Mr. Weld's policy, but if Her Majesty's Government intended to follow it up, they should do so without delay; they should not let the war linger on, or permit, any further than they could help, the subjugation of the Native race. The colonists should have a good and defensible frontier; but, remembering by what solemn pledges Her Majesty's Government were bound to see that the Native rights did not suffer harm, he thought it their duty, now that questions of Native policy were left to the colonists, to withdraw the power of England from the scene of conflict as rapidly as possible.

Mr. W. E. FORSTER said, the observations of the noble Lord the Member for King's Lynn (Lord Stanley), possessed much weight in the House and throughout the British dominions, and he thought the noble Lord might wish to reconsider the principle he had laid down before his remarks went to New Zealand with all the weight of his authority. The noble Lord was understood to say that the Colonial Government should be called on to do all that they could do in their own defence, but that so long as they received armed assistance from England, the troops should be at their disposal, and not at that of the Governor.

Lord STANLEY explained that he had not intended to lay down any general principle for the conduct of future colonial wars, but was speaking only of what was to be done in the present war. The House seemed to be generally of opinion that the colonists should not be led to expect military assistance from England in future wars of the same kind; but having been partners in getting them into this trouble, it would not be fair to desert them altogether, or wholly to withdraw our assistance for the present, and the only point was to see that that assistance was reduced to the absolute minimum of what was necessary.

Mr. W. E. FORSTER said, that he was glad to receive this explanation. The principle to be laid down was that the colonists should be called upon to do what they could for their own defence; that, on the one hand, they should not be left to shift for themselves, but that when, on the other hand, we sent out troops, they were not to be entirely at the disposal of the Colonial Government. He thought the right hon. Gentleman (Mr. Cardwell) deserved the thanks of the House and of the country for informing the colonists that so long as English troops were employed, the Governor of the colony should have some voice in the conduct of the war. On any other principle of policy we might expect these wars to be carried on indefinitely, and it would then be impossible for the Chancellor of the Exchequer to produce a Budget on which he could rely; because the taxes of the country would practically be, to a great extent, at the disposal of those over whom this House had no power whatever. If they gave the colonists the enormous power they had hitherto possessed, it might be depended on that they would exercise it. Had not the colonists felt that they had the immense force of British arms to rely on, they would never have put forward the demands which they made on the Natives. Since the New Ministry in New Zealand now found that they had to deal with colonial resources, they had abandoned the extreme demands made by the old Ministry on the Natives—such as that for the surrender of all their arms, even when they were in the mountains. It might be well to leave the management of the Natives in the hands of the colonists, and let them spend their own money and employ their own men. They would conduct their affairs with as great care and prudence as we should if we were in their place.

Mr. KINNAIRD said, that he was glad that the hon. and learned Member for Sheffield (Mr. Roebuck) had denied the sentiments which his speech appeared to many Members to convey—namely, a policy of extermination. If he had known something more of the Natives of New Zealand, and of their conduct during the war, he would have seen that they were under the influence of Christianity and civilization, and he never would have made the observations which he had given expression to. It was stated in the official despatches that the war had been conducted on the part of the Natives much more like a war of civilized people than of savages.

Mr. CARDWELL said, that the whole course of the debate had been such as not only to call for grateful and cordial acknowledgments on the part of the Government for the spirit in which it had been conducted, but, what was of greater importance, he could not but think that it would have great weight and influence in the colony now endeavouring to enter on a new course of policy, in inducing the colonists to rely on their own resources for great exertions. It could not but be a cause of great encouragement to such a community when they saw their affairs occupying so large a portion of the attention of the House of Commons, and being discussed in the spirit and temper which had been displayed in the discussion of that evening. It was in such a spirit as he now alluded to that the hon. Member for Taunton introduced the question, and such, he ventured to say, was the spirit of every speaker who followed, without excepting even the hon. and learned Member for Sheffield. He had had the pleasure and advantage of that hon. Member's acquaintance for twenty-five years, he knew the kindness of his heart, and he was sure that, when he denied having intended to produce an impression evidently opposed to the feelings of the House, he was speaking the genuine and natural sentiments of his heart. He could not, however, in spite of this, fail to separate himself entirely from the proposition and general principle laid down and enunciated by the hon. Member. He did not agree with the hon. Member that colonization meant dispossession. In an island which contained many millions of acres of waste land, and only about 100,000 inhabitants, divided equally between the two races, European and Maori, it appeared to him that there was ample room for the extension of civilized culture, for increased habitation and growth, and for the accumulation of property. There was ample room for everything implied in the honoured name of colonization, without any necessity for dispossession, for both races to grow up side by side. If any aboriginal race was fitted to profit by being brought in contact with a civilized population, it was the Maori race, which he trusted would be long preserved to mingle their blood with the European, and he hoped that their descendants, to the latest time, would constitute a living record of the advantages of European and English civilization. He could not believe with his hon. Friend that a treaty was to be called a farce. It might be wise or not to make a treaty, but when once a treaty was signed it ought to be observed. It was not the privilege of civilization, in the face of an inferior and uninstructed race, to break your treaties, to call it a farce, and say that that was the advantage which civilization conferred on uncivilized man. Twenty years ago in that House they had a great controversy upon the subject, and Lord Derby (who was then Colonial Secretary) maintained the principle that whether wise or not, in making the treaty it was just and necessary to observe it. To that hour that treaty had been observed. When he heard the hon. Member for Sheffield speak of the Maories as vindictive, faithless, and cruel, and the noble Lord describe them as a degenerate and dying race——

Lord STANLEY explained that he had said that that was the general tendency of barbarian races in countries partly occupied by civilized people.

Mr. CARDWELL maintained that such was not the case with the Maori race, and was glad to find the noble Lord did not himself assert it. When he heard the remarks of the hon. Member for Sheffield and the noble Lord, it occurred to him to ask, what was said of the Maories by the gallant British soldiers who came in collision with them. Did they call them vindictive, faithless, and cruel, or did they regard them as a degenerate and dying out race? The Governor, in his despatches, said—

> "Colonel Greer tells me in a private letter that no thought of yielding possessed the Natives, but they fought with desperation, and when at length compelled by the bayonet to leave the trenches, in which they left more than a tenth of their number dead, it was strange to see them slowly climb up, and disdaining to run, walk away under a fire that mowed them down, some halting and firing as they retired, others, with heads bent down, stoically and proudly receiving their inevitable fate."

He adds, in speaking of Rawiri, their leader, who was amongst the slain, "Poor Rawiri was a brave man, and behaved like a chivalrous gentleman towards me." This was the vindictive, faithless and cruel, degenerate, and dying race, which civilization was to extinguish in New Zealand. The Government hoped for better things. From the time of the victory at Rangiriri there seemed to be a change in the relations between the Governor and his then Ministers. During last Session he had the pleasure of seeing in this country the Colonial Secretary, and he was impressed with the feeling that that gentleman was a straightforward and honourable man. He had no intention of imputing any improper motives or intentions to the New Zealand Ministry; but the fact was, that differences sprang up between them and the Governor at the beginning of last year in respect to the proclamation requiring the surrender of arms as the condition of peace, with regard to the confiscation of lands, and the treatment of prisoners. It so happened that when these differences were arising in New Zealand that House and the Government took into their earnest consideration the affairs of that colony; and any one who was at the trouble to examine the correspondence would find that the views of the Governor were anticipated in the instructions which were sent to him from home, and it was a very fortunate circumstance that his views should have received that sanction and authority. At the moment when the subject of the treatment of the prisoners was causing a controversy between the Governor and his Ministers, the Home Government informed him in the plainest terms that the prisoners taken in a war carried on with 10,000 of the Queen's troops were to be disposed of by the Governor and the general, acting according to their discretion, and not in such a way as would tend in their opinion to perpetuate the hostility of the Native race, and lead to the continuation and extension of the war. These voluminous documents were chiefly occupied, many of them, with the details of that controversy; but into those details it was not their business then to enter. He thought it was one of the most satisfactory features of Colonial Government that when the Governor of New Zealand called the Assembly together, instead of occupying their time with a vain and idle discussion as to who was right and who was wrong in a long series of past controversies, they immediately entered in the same spirit which that House had shown that evening into the discussion of that which it was just and expedient to do for the future welfare of the colony. A new Administration had been formed upon principles described by the Governor as being in conformity with the instructions which he had received from home. That meant, no doubt, that those principles were not in antagonism to his instructions, because they went much further and made specific proposals of their own. The Resolutions passed by the Assembly were before the House, and contained in the papers now on the table. The hon. Member for Taunton had asked him to state distinctly what was the pecuniary relation between the colony and the mother country. It would be impossible to state it more distinctly than was done in the papers before the House; but he might say there was no doubt as to this, that the former arrangement which enabled the colony to command the services of a large force of the Queen's troops on paying a merely nominal contribution towards the expense incurred for that force was to be at an end. Her Majesty's Government had expressed its anticipation that in accepting the Imperial guarantee for the loan the colony would make a substantial contribution towards the military charges. The Assembly, as he understood, had not accepted the guarantee for the loan, and sufficient time had not yet elapsed to enable it to be known here what definite arrangement the Assembly had made. But the Home Government knew the arrangement it was disposed to make. It would expect that if the colony should continue to receive from this country any assistance of an Imperial kind, such a contribution as the House understood last Session would have to be provided for by the colony would in that case have to be made. That was the answer which he was able to give the hon. Member for Taunton. With regard to their policy for the future, it was certainly a most happy concurrence of public affairs which had brought to the same practical conclusion the hon. Member for Taunton, the great friend of colonial independence, and the hon. and learned Member for Sheffield, the hon. Member for Maidstone, and other hon. Friends of his who had usually advocated opposite views on that question. He sincerely believed that that which had been the universal sentiment apparently in New Zealand, and certainly in this country, was recommended by the doctrines of sound sense and practical experience. The real state of the case was this: — A very small body of Natives, stated in these papers by a competent witness at not much more than 2,000 men altogether, had been in arms. He would not pledge himself to that estimate of their number, because he had no precise data on the point; but certainly in comparison with the amount of troops—20,000—who had been brought against them the Maori force had been extremely small. Nevertheless, with a large proportion of the Natives friendly towards us, we had not yet succeeded in extinguishing the rebellion. If, then, it appeared that the war was dying out, and if we withdrew 10,000 Queen's troops from the colony, and intimated our desire no longer to continue to be the instruments of perpetuating the war, we might then safely reckon that there would be no war policy pursued in New Zealand. He did not believe that if we were to exert ourselves to the utmost, and to send out more reinforcements of men and larger sums of money, it would be possible for us, looking at the extent of the forests and morasses, which constituted the great strength of the Natives in arms against us, to completely reduce them. That which he believed would be so impracticable for us he did not think the colonists would have the desire or ambition to attempt when our troops were withdrawn. He sympathized heartily with those hon. Members who said that, whatever differences the Governor might have had with his Ministers, and whatever differences might exist on questions of policy, they repudiated altogether any idea of attributing to their colonial fellow-subjects any sentiments towards the Natives which they would be ashamed to have attributed to themselves. Let them give to the colonists credit for the same just and generous sentiments which distinguished Englishmen in all parts of the world. Let them believe that as it was not their interest so neither was it their desire to oppress the Native race. He quite agreed with the noble Lord the Member for King's Lynn that they could not suddenly and instantly withdraw their support from the colony, and if any serious carnage followed such a sudden withdrawal of it great blame would be justly cast on the British Government. But let them withdraw their troops cautiously and gradually; let them seriously propound their policy, and not only propound it by words, but by actions, preparing to place the colony in a state of autonomy and self-government, and leaving the colonists to establish friendly and kindly and cordial relations with the Native race. Nobody could have the opportunity, as he had, of reading private letters and communications from settlers in New Zealand to their friends and relatives at home without seeing that an abundant kindliness and an overflowing generosity existed amony many persons in the colony towards the Native race. Let the House, then, accept the policy which Mr. Weld and his colleagues had so well proposed to the Colonial Assembly, which that body, with a magnanimous desire to do what was for the good of New Zealand, had unanimously approved, and which he believed to be consistent with the real interests and the right feelings of the colonists.

COLONEL SYKES expressed his approval of the proposal that the British troops stationed in New Zealand for the safety of the European community should be under the control of the representative of Her Majesty's Government and not under that of a local authority.

MEDICAL OFFICERS IN UNIONS (IRELAND).—RESOLUTION.

MR. MACEVOY rose to move a Resolution, to the effect that the Government should adopt that part of the Report of the Select Committee of 1858 which recommended them to take into consideration the claims of Ireland to a grant of half the charge for medical officers in Unions, with the view of providing for the same in future, as was now done in

England and Scotland. The hon. Gentleman referred to the measures which had been adopted since the repeal of the Corn Laws for placing on the Consolidated Fund a moiety of the cost of criminal prosecutions, of the maintenance of convicts and misdemeanants, of the salaries of Union medical officers, and other charges, complaining that Ireland, which the late Sir Robert Peel stated must, as an agricultural country, feel the effects of the repeal of the Corn Laws much more severely than England or Scotland, had not yet received the same justice in this matter as those two wealthier countries. The anticipation of that great statesman had been fully verified; and it would be admitted that Ireland had been undergoing extensive depopulation because it was no longer possible for her small farmers to cultivate white crops. With regard to medical relief, at the time Sir Robert Peel made his proposal the Medical Charters Act had not been passed. When he was introducing the Bill for the repeal of the Corn Laws, Sir Robert Peel said as the charges particularly pressed upon the landed interest they proposed to take from the Consolidated Fund one-half of the cost of medical relief of the poor in England and Scotland, and the estimate was that the charge would be £100,000 a year for England and £15,000 a year for Scotland. Ireland, he said, was under a separate law, and required a separate consideration. He contended that that language clearly implied that if the system of medical relief had been the same in Ireland as it was in England, the former country would not have been excluded from the grant which he proposed for the latter. The farmers of England had not suffered to the same extent as they had in Ireland in this matter, and the same reasons which operated in 1846 to place this as a charge on the public treasury were equally in force at this moment. It was proved before the Committee which sat in 1858, that a sum of £63,000, which was voted by Parliament in 1846-7 and the three following years, for the relief of the rates in Ireland, never reached that country, because there was no officer there who was aware that it was his duty to look after the money. An hon. Friend of his proposed to add to his Resolution a recommendation that the Consolidated Fund should also defray the cost of the salaries of schoolmasters and mistresses of unions in Ireland, as was already the case in England. He had thought it better to confine his Motion to the exact recommendation of the Committee of 1858, but he had no objection whatever to the proposed addition. Last year the Chief Secretary for Ireland said that he sympathized with him in his object, and hoped that he might be able to induce the Chancellor of the Exchequer to accede to his proposal. He understood that the right hon. Baronet had since then changed his opinion upon the subject, but that circumstance would not lead him to despair of inducing the House to do justice to Ireland in this matter. In the debate of last Session, the Secretary of the Treasury suggested that Ireland enjoyed an equivalent for this sum in the payment of the constabulary force. It ought, however, to be borne in mind not only that the expense of the police in England was not borne entirely by local rates, one quarter of the cost of their clothing and pay — to the amount of £208,000 a year — being defrayed out of the Consolidated Fund, but also that the constabulary in Ireland performed a great many duties which were not strictly those of a police force. In 1856 or 1857 the revenue police, which had previously cost £50,000 or £55,000 a year, was abolished, and its duties had since been discharged by the constabulary. Some Gentlemen might think that it was premature to raise this question while a Committee was sitting to inquire into taxation in Ireland; but as the Committee of 1858 had already reported in favour of this claim, he could see no sense in asking another Committee to examine the subject. When the House recollected the state of Ireland, the reasons which were given by Sir Robert Peel in 1846 for making these grants, and the desirability of assimilating the law in England and Ireland, he hoped that it would agree to the Resolution which had been placed on the paper.

MR. HENNESSY seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, Her Majesty's Government should now adopt the Recommendations of the Select Committee of 1858, which recommended Her Majesty's Government to take into consideration the claims of Ireland to a Grant of the half-cost of Medical Officers in Unions, with the view of providing for the same in future, as is now the practice in England and Scotland,"—(*Mr. MacEvoy,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE CHANCELLOR OF THE EXCHEQUER said, as the hon. Gentleman had accepted the responsibility of the Motion about to be made by Sir Hervey Bruce in addition to his own, perhaps it would be preferable for him to discuss both Motions together. He would at once proceed to give reasons, upon which he relied with some confidence, why his hon. Friend should not ask either the Government or the House to give a definitive expression of opinion upon the subject at present, an opinion which, he thought, would be more prejudicial than advantageous to the object the hon. Gentleman had in view. The hon. Gentleman rested his Motion upon two grounds, one being the recommendation of the Committee of 1858, and the other being that, the grant from the Consolidated Fund which he sought was already given to England and Scotland. The hon. Gentleman forgot when he rested his case upon the recommendation of the Committee of 1858, that they expressly passed by the proposal now made by the right hon. Baronet (Sir Hervey Bruce), having reference to the schoolmasters and schoolmistresses. And again, it was impossible to regard the recommendation of that Committee as being in any way conclusive upon the subject, for of the five Irish and two English Members forming that Committee, one Irish and two English Members dissented from the conclusion arrived at by the four Irish Members who composed the majority. A majority of one, under such circumstances, could scarcely command much weight, and the House would hardly be inclined to bow to such an authority. The hon. Gentleman further contended that the grant ought to be made to Ireland upon the simple ground that it had already been made to England and Scotland. But if that proposition was to be admitted, how could the hon. Gentleman resist the claim of England and Scotland to be placed on an equality with Ireland as to other grants from the Consolidated Fund in aid of local taxation, wherein the latter country had a decided advantage? He could assure the hon. Gentleman that if his proposition were established, England and Scotland would have the best of the bargain, and a very heavy burden would be imposed upon Ireland. The hon. Gentleman had referred to the fact that the cost of the Irish constabulary was paid out of the Consolidated Fund, but counted that as nothing, because England also received something from the fund under that head. What was the proportion each received? England, with her 20,000,000 of population, received £208,000 from the fund in aid of the constabulary, but Ireland with a population of only 5,000,000, received £740,000. The hon. Gentleman said the duties of the revenue police in Ireland were now discharged by the constabulary at a saving of £50,000, for which they were entitled to credit, but even then there would remain the sum of £690,000 in favour of Ireland, and were England placed upon an equal footing in that respect, she would receive £2,500,000 in aid of her constabulary, instead of £208,000. Under such circumstances, it would be very dangerous for those advocating the claims of Ireland to establish the principle that the grants to both countries should be equalized. He did not mean to say that these were considerations which, under all circumstances, ought to preclude any fair inquiry into the matter; but he complained that the hon. Gentleman had altogether ignored the existence of the Committee moved for by the hon. and gallant Member for the Queen's County (Colonel Dunne), which was appointed to inquire into the relative taxation of England and Ireland, which included the subject of the present Motion. The effect of the adoption of the Motion by the House, might be to force Her Majesty's Government into measures possibly contrary to the recommendations of the Committee now sitting. Several draft reports had been put forward by that Committee, which had yet to make its complete report on the general subject. It would be eminently unwise to approach a particular corner of this question, which had to be considered comprehensively by a Committee already sitting. It would certainly be far better to adjourn any discussion upon the subject until they had heard what the Committee had to say upon the matter. Although the decision of the Committee would not be binding upon the House, yet it was appointed to consider the matter as a whole, and it would therefore be better for the House to leave the question in their hands for the present. There was much to be said for the construction placed on the speech of the late Sir Robert Peel in 1846; but what he asked, was an opportunity of considering this important question as a whole. He himself sat on the Committee in 1858, although he was not present when the Report was drawn up. He did not blame the hon. Gentleman for raising the question separately, when the general question was not raised; but when the general question was raised and under consideration, it was on every ground desirable that they should reserve any proceedings they might find it reasonable to take, till they had the whole subject before them. He, therefore, submitted to the House—and he hoped the hon. Gentleman would himself see that the course he had suggested was the prudent one — not to solicit an adverse vote, the effect of which would not be favourable to the unfettered consideration of the question elsewhere.

Mr. HENNESSY observed, that the right hon. Gentleman, instead of appealing to the House, had appealed to the hon. and learned Member for Sheffield, whom he regarded as an enemy of Ireland, having on every occasion opposed every grant for Ireland, even in the hour of her direst misery and distress. He would rather the right hon. Gentleman had appealed to the Chief Secretary for Ireland, who, addressing himself to this very question, said, last Session—

> "If the Chancellor of the Exchequer chose to relieve the local taxation of Ireland to the extent of this £37,000 a year by paying half the cost of the dispensary officers, he for one should rejoice. After that assurance on his part he trusted the hon. Member would withdraw his Motion." —[3, *Hansard*, clxxv. 153.]

The Government of Ireland was in the hands, not of the Chancellor of the Exchequer, but of the Chief Secretary, who said the Irish Government would rejoice to see this act of justice done to Ireland. But twelve months had elapsed, and the act of justice in which the Irish Government would have rejoiced had not been carried into effect. Things remained precisely as they were. The right hon. Gentleman now said the Motion was not withdrawn. Of course, not. The division was a very close one; the Government was nearly defeated, and it was quite possible the division might be still closer to-night, because since then many Members had been struck with the fact that in all these cases the same story was told by the Government. True, it was said that this charge was paid by the State in England; but then in Ireland the constabulary was paid out of the Consolidated Fund. Why was the constabulary so paid? Because it was a military force. They were now reducing the military establishment in Cork, Fermoy, and Parson's Town; why? Because the constabulary was a military force. They had Enfield rifles, bayonets, and drill; they supplied, in point of fact, the place of troops in Ireland, and when the late Sir Robert Peel proposed to pay the constabulary out of the public purse he justified it on that ground. He trusted a majority of the House would show, by supporting the Motion of his hon. Friend, that they had some desire to do justice to Ireland.

Mr. NEATE, although feeling considerable distrust in his own opinion, must venture to say a few words against the argument of the Chancellor of the Exchequer. The right hon. Gentleman appeared to put this question too much on a comparison of the local burdens affecting England and Ireland. He could not see that this had anything to do with the question. If there was an Exchequer in England and Ireland, and an account had to be taken between the two, it might be said by the one to the other, "You don't pay enough, and we pay too much;" but the Exchequer in England had assumed a common duty towards the people of England and Ireland, and it discharged that duty towards the people of England in a manner in which it did not discharge it towards Ireland. As an inducement to those who had the control over the local taxation to deal liberally with the poor, the State paid one-half of the cost of medical officers in England; but they did not so act with regard to Ireland, whose poor were thus excluded from the benefit. He would not enter into the question of the adjustment of taxation between England and Ireland, but the Government ought to discharge its duty in the same way to the people in Ireland and England. At any rate, if these charges were transferred, it would be very easy to adjust the balance by imposing extra taxation upon Irish spirits.

The CHANCELLOR of the EXCHEQUER begged to explain. He had twice guarded himself against asking from the House any definitive expression of opinion on this subject. What he said was, that the hon. Gentleman had not made out his point, because if he referred to inequality of treatment, he must take not one, but all the items bearing upon the question. It was part of a large question, which had been expressly and unanimously referred by the House within a few days to the consideration of a Committee.

Mr. WHITESIDE thought the right hon. Gentleman had not done justice to himself by the manner in which he had dealt with this question. The Chancellor of the Exchequer admitted that this claim was fortified, first, by the opinion of the late Sir Robert Peel; in the second place, by the Committee of which the right hon. Gentleman was himself a Member, but on which he had neglected to vote; nothing was more probable, but he ought to have done so. He never heard anything more impolitic than was done by the right hon. Gentleman. He selected by name the English Members who had voted in the Committee one way, and contrasted them with the Irish Members who voted the opposite way. That was not a wise proceeding. It seemed to turn attention to the persons who voted rather than to the substance of the thing decided. The right hon. Gentleman's argument was this—there was a decision in favour of the Motion, there was the speech of the late Sir Robert Peel in its favour; but then another Committee might undo what the previous Committee had done, and as one decision was not enough on such a trifling matter as this the right hon. Gentleman recommended the House to wait for the decision of another Committee, in the hope that the former decision might be reversed. He trusted his hon. Friend would not withdraw his Motion.

MR. PEEL said, there was no doubt that the hon. Gentleman who had introduced the Motion had laid great stress upon having the authority of a Committee for his proposition, and that being the case the Chancellor of the Exchequer was perfectly justified in pointing out that that Committee took no evidence with respect to this particular question; that the Chairman, though this point was included in the reference, passed it over all together, and that of the eight Members present at the time when part of the Report was adopted only four Members voted for the Motion which added the passage relied on by the hon. Member. It was true that in 1846 half of the charge of the medical officers and of the salaries of the masters of workhouse schools was transferred from the local rates to the Estimates, upon the ground that it was desirable that the Government should have some control over the appointment of medical officers and of the manner in which the schoolmasters of those schools performed their duties; and another object was to give some relief to the agricultural interest in view of the competition to which it was supposed they were about to be exposed. But the same argument could not be used in favour of the argument of the hon. Member. These medical officers received emoluments for prescribing for those who brought dispensary tickets to them, but they had also other duties to perform, and were paid out of the poor rates for vaccinating poor persons, and for duties connected with the registration of births and deaths. The proposal was that half the emoluments they received for a portion of their duties should be transferred from the poor rates in Ireland to the annual Votes, though it could not be said that the Poor Law Board had any control over them. It was desirable that Ireland should not be able to say that she was denied a measure of relief which was afforded to England and Scotland, and that England and Scotland should not be able to say Ireland received assistance which was not given to them; but it was necessary that the question should be thoroughly examined. The cases in which aid was given out of the Public Exchequer for expenses properly chargeable upon local rates were—the expenses of criminal prosecutions, the maintenance of prisoners, the grants in aid of poor rates, and contributions to the expenses of the police. As regarded the two first heads, all three countries stood upon the same footing. As regarded the aid given towards the salaries of medical officers and masters of workhouse schools, it was true that in England and Scotland the Exchequer did contribute to those expenses, whereas it did not in Ireland; but that inequality was more than compensated for by other payments only made in favour of Ireland on the grant of upwards of £20,000 a year for the hospitals in Dublin and certain county expenses. But when they came to the expenses of local police the state of the case was completely reversed to the advantage of Ireland, the Government contribution to the expense of the county and borough police in England and Scotland being one-fourth, while Ireland had the whole of her constabulary charge defrayed out of the public purse. It was no answer upon that point to say that the constabulary was a military force, for it enabled Ireland to dispense with the necessity which would otherwise be inevitable of maintaining a county and borough police, at a cost of no less than £100,000. Therefore, if the system of equal treatment was to be applied throughout these local charges, Ireland would be charged with three or four times as much as she would be relieved from. The reason for not determining the question at that time was that there was a Committee appointed which would take up the question with the whole taxation of the country, and he thought it would be advisable for the House to adopt the course recommended by the Chancellor of the Exchequer.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 37; Noes 34: Majority 3.

DWELLINGS FOR THE WORKING CLASSES.—QUESTION.

Mr. AUGUSTUS SMITH said, he rose to ask the hon. Member for Bath (Mr. Tite) as Chairman of the Westminster Improvement Commission, whether any, and what, steps have been taken by the Commission to secure the erection of buildings suitable for the accommodation of the Mechanic and Working Classes, of whose dwellings in Westminster so wide a clearance has been made by the proceedings of the Commission. The subject, suggested by this notice, was one which had attracted at various periods a good deal of attention in this House. The progress of improvement had had results which seriously affected the working classes, for their residences had been displaced from time to time to an extent which inflicted upon those classes great loss and inconvenience. The railroads not only in the outskirts but in the metropolis itself produced extensive clearances; then there was the great clearance in the vicinity of the Strand for the new Courts of Justice; then there were those clearances which had been made on Lord Westminster's estate, and in that case he was glad to hear it stated in the House a few nights since that the noble Marquess had taken measures to secure the erection of proper residences for those of the working classes whose houses had been removed. If any duty more than another attached to large properties of this kind which covered a large area it was in his (Mr. A. Smith's) opinion that of building proper dwellings for the working men employed on an estate, or which were essential to the various branches of trade and industry required by the necessities of the locality itself. Then they heard the other night of another considerable clearance in contemplation near Downing Street; but the great clearance of all was that effected some years ago by the Commission called the Westminster Improvement Commission, which projected a great number of buildings which remained for a long number of years altogether untenanted. Two or three years ago a Bill was introduced into that House with reference to that Commission, whose affairs were in a state of the most inextricable confusion. A new Commission was constituted, and the hon. Member for Bath (Mr. Tite) was appointed the Chairman, the right hon. Gentleman the First Commissioner justifying the introduction of the hon. Gentleman (Mr. Tite) as an appointment which imparted new blood into the Commission, and which that hon. Member himself justified himself in undertaking as having considerable knowledge of architecture and some acquaintance with the principles of good taste. When he saw the west point of that noble Abbey blocked up with rows of Brobdignan buildings, and that the new street when finished would be one of the dullest, gloomiest, and most lugubrious streets, he could not see much development of the architectural principles of taste. As far as he could see, there had been no care displayed by the Commission to do that which had been particularly impressed upon them and which had been made one of the chief objects of the improvements contemplated by the Commission itself as specified in their Act—namely, to keep open as much as possible the view of Westminster Abbey on the south side. He, however, hoped their attention had been directed to a more humble and practical object. He (Mr. A. Smith) had attempted to get the Bill he had named referred to a Select Committee in order that, among other things, they might inquire into the inconvenience arising from the displacement of so large a number of the working classes. A large number of those classes, especially such as were in the Government employment, as, for instance, policemen and postmen, now had great difficulty in procuring residences. He hoped the hon. Gentleman would now give the House some account of what care had been taken by the Commission to procure buildings for the accommodation of those classes whom the Commission had displaced.

Mr. TITE said, he was afraid that at

present all the Board was able to do was to facilitate the undertaking of which the hon. Gentleman had spoken. He had to state, however, that an enormous mass of buildings had been erected on some vacant land by the liberality of a private individual, Mr. Gibbs—an earnest philanthropist, who "did good by stealth and blushed to find it fame"—in which residences were provided for the working classes with all possible advantages of light and air, and every decency that ought to belong to a working man's dwelling. In that enormous building the working classes who had been displaced by the Commission could find accommodation. When Victoria Street was first projected as a great public improvement, certain persons undertook to raise £75,000, on the condition that the Government would provide £50,000; and when it was shown by examination by the proper authorities that the £75,000 had been expended, the Government furnished the £50,000. Subsequently £30,000 more was advanced by the Government on the security of the rates of the parishes interested, which he believed would ultimately be repaid. But it turned out that the managers of this great scheme had been so straitened that they had mortgaged all their surplus lands for no less a sum than £300,000, and that they had also issued debentures, which he believed to be illegal, to the amount of £700,000 more. The total expenditure had been £1,200,000. In that state of things the whole affair came to a standstill, no land could be sold or let for no title could be given. A few years since a new Act was procured, and he was requested to accept the Chairmanship of the Commission. But that new Act was really one for winding up the concern. The Commissioners had sold and realized land to the extent of £130,000, which had been paid into the Court of Chancery for division amongst the mortgagees; and they had also an income of £2,200 a year. But they had no power to originate anything; all they could do —which they were doing to the best of their power—being merely to wind up the scheme, and to secure, if possible, some small return to the debenture-holders. The Commission had a Bill now in Parliament for further improvements, which if it passed into a Law would enable them to facilitate the operations of Mr. Gibbs and would therefore increase the possible accommodation for the poor. He need scarcely assure the House that if the Commission could do anything towards providing house accommodation for the working classes, they would be exceedingly happy to do so.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY.

Supply *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Monday* next.

GAME (IRELAND) BILL—[Bill 42.]

SECOND READING.

Order for Second Reading read.

Sir HERVEY BRUCE, in moving the second reading of this Bill, said, he understood there was no objection to the Motion, and he should not therefore preface it by any explanation.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Hervey Bruce.*)

Colonel DICKSON thought the hon. Baronet was in error when he entertained the idea that the Bill was not to be opposed. The object of the Bill was to assimilate the time for shooting game in Ireland and England, and as no allowance was made for the variation in the climate and the time of the harvest, he regarded the proposal as one which was objectionable in every way, both to the sportsman and the farmer. He should move that the Bill be read a second time that day six months.

Mr. LONGFIELD hoped that the hon. and gallant Gentleman would not divide the House. The Bill contained some good as well as some bad provisions, and he would suggest that the necessary improvements could easily be made in Committee.

Sir GEORGE BOWYER hoped that the hon. Baronet would give explanation of the objects of the Bill, as hon. Members in his neighbourhood connected with Ireland appeared to be unacquainted with its purport.

Mr. SPEAKER asked who seconded the Amendment of the hon. and gallant Member?

And no hon. Member rising to second the Motion, the Amendment was not proposed.

Question put, "That the Bill be now read a second time."

The House *divided:*—Ayes 50; Noes 8: Majority 42.

Bill read 2°, and *committed* for *Friday* next.

THEATRES, &c., BILL.

LEAVE. FIRST READING. [BILL 64.]

Mr. LOCKE then rose to move for leave to bring in a Bill to amend the law relating to Theatres and other places of public amusement. The hon. Gentleman said he did not intend to make any lengthened statement upon that occasion. But he would inform the House that the Bill was to meet a state of things which had created great danger and alarm among Her Majesty's subjects. In many of the theatres there was no mode of egress in the event of fire, and one of the objects of the Bill was to correct that evil, and to place the buildings, which were used as theatres and other places of public amusement, on a proper footing in that respect. Another object of the measure was to settle a question which had arisen between theatres and music halls. He believed there would be no objection to the introduction of the Bill.

Mr. THOMAS BARING said, he did not rise to object to the introduction of the Bill. He thought there was no reason for supposing that in the theatres licensed by the Lord Chamberlain in the metropolis, sufficient precautions were not taken for the safe egress of the public. He wished to state that, so far as he was acquainted with the theatres of this metropolis, the Lord Chamberlain, with whom the licensing of those buildings rested, had taken every precaution on behalf of the public for providing adequate means of egress, and that there was no ground whatever for complaint on that subject. When the Bill was printed the House would be better able to judge of the proposal made in the other portion of it for the settlement of the question between theatres and music halls. He hoped the hon. Gentleman would not fix an early day for the second reading of the measure, as it was desirable that ample opportunity should be afforded for considering its provisions.

Mr. LOCKE said, he would not bring on the second reading until the first Wednesday after Easter.

Motion *agreed to.*

Bill to amend the Law relating to Theatres and other places of public amusement, *ordered* to be brought in by Mr. Locke, Mr. Ayrton, and Mr. Denman.

Bill *presented,* and read 1°. [Bill 64.]

RAILWAY TRAVELLING (IRELAND) BILL.

On Motion of Sir Colman O'Loghlen, Bill further to secure to the public the means of travelling by Railway in Ireland, *ordered* to be brought in by Sir Colman O'Loghlen, Colonel Dickson, Major Gavin, and Mr. Stacpoole.

Bill *presented,* and read 1°. [Bill 66.]

House adjourned at half after Nine o'clock, till Monday next.

HOUSE OF LORDS,

Monday, March 13, 1865.

MINUTES.]—Public Bills — *First Reading*— Private Bill Costs * (31); Public Schools * (32) [h.l.]; Abolition of Arrest upon Final Process * (No. 2) (33) [h.l.]

Second Reading — British Kaffraria (27); Elections Petitions Act (1848) Amendment * (21.)

Withdrawn—Abolition of Arrest upon Final Process (26) * [h.l.]

BRITISH MUSEUM.

Earl STANHOPE said, on the 2nd of this month he presented a petition from the Trustees of the British Museum, and afterwards gave notice of his intention to call the attention of their Lordships to the subject-matter of that petition on Friday next. His right hon. Friend Mr. Walpole, had also given notice of a similar Motion in the other House. Within the last two or three days the Trustees of the British Museum had been apprised that Her Majesty's Government had in preparation a plan by which it was hoped the present deficiency of space would be supplied. Under these circumstances, it seemed to the Trustees that it would be more respectful and convenient not to raise any discussion until the Government had matured their scheme, and brought it forward. His right hon. Friend, therefore, intended to postpone the discussion in the House of Commons; and, for his own part, although he should have been glad to lay before their Lordships some details relative to the deficiency of space under which the British Museum laboured, he felt that he should best discharge his duty by following the example set by his right hon. Friend, and would not persevere with his Motion.

BRITISH KAFFRARIA BILL—(No. 27.)

SECOND READING.

Order of the Day for the Second Reading read.

THE DUKE OF ARGYLL, in moving the second reading of this Bill, the object of which was to annex the Territories of British Kaffraria to the Colony of the Cape of Good Hope, said, the circumstances which had rendered the measure necessary were fully detailed in the papers which had been presented to Parliament on the subject. Up to the year 1847, the North-Eastern boundary of Cape Colony was at the Great Fish River. In that year, in consequence of the disturbances occasioned by the Kaffirs, Sir Harry Smith thought it expedient for the safety of the colony to annex the district lying between the Great Fish River and the Keiskamma; and in 1848 a further district up to the Rivers Kei and Bashee was annexed. In 1860 the whole district between the Keiskamma and the Kei was erected into a separate Crown colony under the name of British Kaffraria; the country between the Kei and the Bashee, remaining an unoccupied country under British dominion. It was a colony of a very peculiar character having no Legislature whatever, but the Governor combined in his own person all legislative and all Executive functions. It was, in fact, simply a military dependency, having no value except as a frontier. Last year, however, there were anticipations of further disturbances with the Kaffirs. Happily, this alarm proved unfounded; but it had forced on the Government the propriety of considering what was the value to this country of this territory. It appeared to the Government that the Territory between the Kei and the Bashee was of no value whatever; that it constituted a source of danger rather than a source of security, and the Government had come to the resolution that it should be abandoned. There remained, therefore, only the very small Territory of British Kaffraria—too small to constitute itself a British colony, too small to provide for its own Government. Under these circumstances the natural course was to annex it to the Cape of Good Hope, and place it under the same Government. The Bill provided that in the event of the Legislature of the Cape of Good Hope themselves determining to take the course of annexing this military district themselves, the Act would become inoperative beyond the first clause; but if they should hesitate to adopt that course the Governor would be enabled, by his own authority, to annex the district to the Cape.

Moved, "That the Bill be now read 2ª."—(*The Lord Privy Seal.*)

LORD LYVEDEN said, that in his opinion the measure was likely to be in some respects very useful; but he would remind the House that however far we might extend our frontier in the colony we should still have to defend it. He hoped, he might add, that the Secretary for the Colonies would carry out the principle of making them pay for themselves.

LORD TAUNTON approved of the proposed annexation, but thought that it should, as far as possible, take place with the consent of the colony. He fully concurred in the view expressed by his noble Friend (Lord Lyveden) that it was desirable our colonies should contribute to their own defence.

THE DUKE OF ARGYLL, in reply, said, that the compulsory provision was the essence of the Bill for the Governor had written home that he could not be sure of carrying it through the Legislature under the influences which might be brought to bear against it. The Territory was a piece of waste neutral ground between the colony and Kaffraria; and the Imperial Government had no interest beyond the defence of the colonists. The Bill, it was true, did not give any alternative as to the annexation; but it did give to Cape Colony an alternative as to the details of the measure, and they might regulate the conditions under which they would admit the inhabitants of the Territory to the privileges of their own constitution. The Imperial Government would no longer be responsible for maintaining the exclusive possession of this military frontier; but, at the same time, he quite agreed they could not leave the colonists to their own resources.

Motion *agreed to;* Bill read 2ª, and *committed.*

ABOLITION OF ARREST ON FINAL PROCESS (NO. 2) BILL (NO. 33.)

Abolition of Arrest on Final Process (No. 1) Bill, *withdrawn;* then,

A Bill to abolish Arrest upon Final Process in England, and for the Amendment of the Law of Bankruptcy in certain Particulars, *presented* by The Lord CHANCELLOR; read 1ª. (No. 33.)

PUBLIC SCHOOLS BILL [H.L.]

A Bill to make further Provision for the good Government and Extension of Public Schools —Was *presented* by The Earl of CLARENDON; read 1ª; to be *printed.* (No. 32.)

House adjourned at a quarter before
Six o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, March 13, 1865.

MINUTES.]—SUPPLY—*considered in Committee* —Committee—R.P.

WAYS AND MEANS — *considered in Committee*— £175,650 Consolidated Fund.

PUBLIC BILLS—*Resolution in Committee*—Metropolitan Main Drainage [Guarantee of Repayment of Money.]

Ordered—Justices of the Peace (Discretionary Powers)*; Judgments (Ireland)*; County Voters Registration (Ireland).*

First Reading — Judgments (Ireland)* [68]; Justices of the Peace (Discretionary Powers)* [69]; County Voters Registration (Ireland)* [70.]

Second Reading—Colonial Naval Defences* [51]; Perth Provisional Order Confirmation* [61.]

Select Committee—On Prisons *nominated** [15]; Sewage Utilization *nominated** [4]; Metropolis Sewage and Essex Reclamation*; The Judge Advocate *added.**

Third Reading — Affirmations (Scotland)* [37] and *passed.*

INFECTIOUS PATIENTS IN WORKHOUSES.—QUESTION.

COLONEL NORTH said, he wished to ask the Secretary to the Poor Law Board, If, by Article 115 of the General Consolidated Order of the Poor Law Board, dated 24th July, 1847, any Pauper suffering from Small Pox or other infectious disorders can insist upon leaving the workhouse, in opposition to the opinion of the doctor, upon giving to the master, or, during his absence or inability to act, to the matron, a reasonable notice of his or her wish to do so? He wished to ask this Question in consequence of two cases which had occurred in that part of the country with which he was connected. In one case a girl and her child had returned to her village and the child had died. In the other case a woman and her child were in the workhouse; the child died, and when it was going to be buried the mother claimed her clothes in order to go out. The master, however, did not give them; but she got them next day when she left.

VISCOUNT ENFIELD said, in reply, that neither master, matron, nor medical officer, had power to detain any person in the workhouse against his will, due notice being given of the intention of such inmate to depart. All that they could do was to warn the persons who wished to leave, and who were in the condition referred to, of the extreme danger of such proceeding to themselves and others, and that they were liable to be indicted for a misdemeanor. That warning had been given, he believed, in both the cases referred to.

THE FINANCIAL STATEMENT.
QUESTION.

MR. WHITE said, he would beg to ask Mr. Chancellor of the Exchequer, On what day he proposes to make his Financial Statement?

THE CHANCELLOR OF THE EXCHEQUER: In consequence of the time at which Easter falls this year, we find, that, although it might be possible to make the Financial Statement before Easter, it would not be possible for us to make any progress in any matters to which it might refer; and, therefore, we have thought that we should best consult the convenience of the House by deferring it until the first convenient day after Easter. But as the House usually resents the bringing forward of any important question on the very first day of the re-assembling after the Easter holydays, we have considered it desirable to select a subsequent day, which will probably be Thursday, the 27th of April.

PETITION OF THE BRITISH MUSEUM TRUSTEES.—OBSERVATIONS.

MR. WALPOLE said, as he understood that the Government were likely to take into consideration the subject of the Petition presented by him from the Trustees of the British Museum, he thought it would be for the convenience of the House if he were to postpone the Motion on that subject of which he had given notice.

THE CHANCELLOR OF THE EXCHEQUER said, the exact position of the matter was this. The Government were now waiting the result of an inquiry on the part of the Trustees of the British Museum with respect to certain questions of internal arrangement in any new building which might be required for giving accommodation to some of the collections under their charge, and the moment they should receive their report, the Government would be ready to make a proposal, of which his right hon. Friend and the House should have the earliest information.

CASE OF MARY RYAN.—QUESTION.

Mr. SCULLY said, he would beg to ask the Secretary of State for the Home Department (with reference to certain Official Correspondence as to the Irish nun Miss Mary Ryan, called Sister Theresa), Whether it is intended on the part of the Government to require that lady to be delivered up by the Belgian authorities, and to be removed from the "very well conducted Asylum at Bruges, where she is treated with great kindness and consideration;" as stated by Lord Howard de Walden, Mr. Consul Curry, and Mr. Commissioner Wilkes; and further to require that, "if she is still insane when she arrives in this country, she must be taken before a Magistrate and dealt with as a Pauper Lunatic," as stated in a communication from the Secretary of State for the Home Department to the Secretary of State for Foreign Affairs; whether all British and Irish subjects, who are insane, must be dealt with as Pauper Lunatics, if their relatives and friends cannot take proper care of them in these countries, though able and willing to do so in a good foreign asylum; and whether he will lay before this House the case as to Miss Mary Ryan, submitted by his desire, in the month of October last, to the Attorney and Solicitor Generals for England, along with their opinion on it. The hon. Gentleman said he would more particularly ask, whether there is any Treaty of Extradition between this country and Belgium, that applies to lunatics as well as to criminals; and, if so, whether the Home Secretary intends to enforce it at the instance of the hon. Member for North Warwickshire (Mr. Newdegate), the hon. Member for Peterborough (Mr. Whalley), and the Protestant Alliance?

Sir GEORGE GREY: Sir, it is not intended to enforce any law upon the subject, at the suggestion of the hon. Member for North Warwickshire, or of the hon. Member for Peterborough, or of the Protestant Alliance. But I take it to be clear that it is illegal to remove by force any lunatic from our shores and deprive him of the protection of the laws of this country. Mary Ryan having been illegally removed, Her Majesty's Government, although there was no law to enable them to require it, requested the Belgian Government to send her back if her condition were such as to render that step judicious; and the Belgian Government have intimated their readiness to accede to that request. But her state was such that we thought it would be dangerous to herself that she should be brought back at present to this country. The case submitted to the Law Officers of the Crown, was already before the House as it consisted of the correspondence contained in the papers presented to Parliament, their opinion was that the removal had been illegally effected from this country, and that the parties engaged in it might be prosecuted, but that under all the circumstances of the case, they did not consider it expedient to institute such a prosecution.

CONFEDERATE STATES—CASE OF CAPTAIN BEALE.—QUESTION.

Mr. PEACOCKE said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether he will lay upon the table of the House, all the Papers relating to the extradition from the Canadian territory of Captain Beale, an officer in the service of the Confederate States?

Mr. LAYARD said, that as far as he was aware, the Question of his hon. Friend was put under a misapprehension. He (Mr. Layard) was not aware that Captain Beale was surrendered by the colonial authorities to the United States Government. On the contrary, it was stated in the newspapers of the United States that Captain Beale was arrested in the State of New York. But no information has been received upon the subject, either at the Foreign Office or the Colonial Office.

NAVAL CHAPLAINS.—QUESTION.

Mr. LEFROY said, he wished to ask, If any steps have been taken during the recess to ascertain, through the Chaplains' Quarterly Returns, how far the Chaplains have been able to comply with the Admiralty Instructions directing clerical visits to be made to transports and small vessels of war not entitled to bear Chaplains; if the revised edition of the Chaplains' Instructions mentioned last Session has been issued; and if there is any objection to the annual publication of a Précis of the Chaplains' Quarterly Returns?

MR. CHILDERS replied that the information given in the Chaplains' Quarterly Returns would not enable him to state to what extent the Admiralty Instructions with respect to clerical visits to transports and small vessels had been complied with. With regard to the second point, no revised edition of Instructions had been issued, and no promise to that effect had been given; but the whole question of the Returns made by, or relating to, the Chaplains was now under consideration. It was considered expedient that for the future fuller statistical accounts of the educational condition of the seamen should be furnished; and that the religious work of the Chaplains should rather be reported at inspection than in the shape of quarterly Returns; but the Admiralty had not yet come to a final decision as to the exact forms to be employed.

EXTRADITION TREATY WITH THE UNITED STATES.—QUESTION.

LORD ROBERT CECIL: I wish, Sir, to put the Question of which I have given notice in a different form from that which I at first intended. I wish to ask Mr. Attorney General, with respect to all the persons who are now in Canada waiting the issue of the Question, Whether they are to be surrendered or not; whether, before they are surrendered under the Extradition Treaty, the legal grounds upon which that surrender is based will be first submitted to the Government at home, and the opinion of the Law Officers taken upon the subject, or whether the discretion of acting upon the Extradition Treaty will be left to the Canadian Executive alone?

THE ATTORNEY GENERAL: This, Sir, is hardly a question which belongs to the legal Department of the Government. These cases are not to be dealt with upon abstract principles, but according to the information which reaches the Government as to each particular case. Generally speaking, the course would be that the Canadian Judges and courts should execute the law in their own territory, and it must be a rare and exceptional state of circumstances which would justify Her Majesty's Government in interfering with the Courts of Law in Canada.

CASE OF MAJOR GENERAL HUTT. QUESTION.

MR. ROEBUCK: Sir, I wish to put a Question to the Vice President of the Board of Trade which may have the effect of rescuing the character of an honourable and distinguished man from an unfounded imputation. I believe I shall do this best by reading two extracts taken from *The Times* newspaper, the first a letter dated February 24, and signed "G. Hutt, Major General." It is as follows:—

> "Sir, my attention has just been called to a paragraph in your paper of yesterday headed 'Owl's Light,' stating that the right hon. William Hutt had appointed me to be Secretary of Chelsea Hospital. This statement is incorrect for two simple reasons:—1, it would be a direct violation of Her Gracious Majesty's Warrant; and 2, having been an Indian officer all my life, I can know nothing about the arrangements of the British army, and must therefore be obviously disqualified for an appointment requiring an intimate knowledge of the Pension Warrant. I must beg the favour of an immediate contradiction to a statement so greatly reflecting on my brother's integrity, and likely to do me injury.

The second extract is as follows:—

> "Whitehall, March 6—The Queen has been pleased to constitute and appoint Major General George Hutt, C B., to be Secretary and Registrar to the Commissioners for the Government of the Royal Hospital at Chelsea, in the room of Alexander James Moorhead, Esq., resigned."

The Question I would ask of my right hon. Friend is, Whether he can, as I believe he can, give any explanation of this extraordinary juxtaposition.

MR. HUTT: Sir, I will endeavour to answer the Question of my hon. and learned Friend; but first I would ask the indulgence of the House for a few moments while making that explanation, and I only regret the absence of the hon. and gallant Member for Oxfordshire (Colonel North), because I know he takes a great interest in this matter. The letter to which my hon. and learned Friend has referred is a fraud, and the signature of General Hutt, ostensibly attached to it, is a forgery. This is the work of some persons—I must not, I suppose, call them scoundrels, because it is possible that they may be employed in the public service. No doubt, therefore, they are gentlemen; but I may say this—I think that they pursue a most dishonest purpose by means most disloyal and dishonest. The original letter to which my hon. and learned Friend refers is now in my possession, by the courtesy of the Editor of *The Times* newspaper. I am not without some expectation that I shall be able to trace the authors, though, whoever they may turn out to be, I think they are hardly persons with whom any one would wish to be associated. And now the House will perhaps allow me to allude for a moment to the appointment itself. The Queen's Warrant most wisely points out that the Secretary to Chelsea Hospital shall be chosen for his experience in the duties of his office. Well, General Hutt possesses that qualification. He has had a large and long experience of duties appertaining to military pensions and to the distribution of military prize money. He is, therefore, technically and in every other sense well qualified to fill the office. I do not say this upon my own authority; I say it upon the authority of a gentleman who must be better able to judge than perhaps any other man in England—a gentleman who must have sincerely at heart the interests of Chelsea Hospital, because it is by his exertions that this Department has been raised to its present state of efficiency—I mean Mr. Moorhead, the retiring secretary. Mr. Moorhead was cognizant of all the steps of this transaction; I laid all the facts before him, and he assured me that General Hutt was technically and in every other sense well qualified to fill the duties of this office. I have his letter now in my hand. I say, therefore, that not merely technically, but in every point of view in which it can be regarded this is a proper appointment. General Hutt is an officer in the Indian Artillery, and there is nothing in the circumstances of his life of which any soldier need be ashamed. He has been named not once, ut many times, in the *Gazette* for distinguished conduct in the field. The late Sir Charles Napier—a general, I presume, sufficiently qualified to judge of military merits—in a public despatch spoke of him as one of the best officers in India; and the late Duke of Wellington, when Commander-in-Chief, went singularly out of his way to pay him a public compliment when recommending him to the Crown for the Order of the Bath for his distinguished gallantry in the fields of Meanee and Hyderabad. I will not say another word, but I am quite sure that the House appreciates my position in this matter.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

DEFENCES OF CANADA—COLONEL JERVOIS' REPORT.—OBSERVATIONS.

MR. SEYMOUR FITZGERALD rose to call the attention of the House to the Report of Colonel Jervois with reference to the Defences of Canada, and to ask Her Majesty's Government for information with reference thereto. The hon. Gentleman said: Sir, I am not aware that the course I am about to take in bringing the question of the Defences of Canada before the House is one that may be misapprehended and misrepresented. There are, I know, those in this House, as there are some out of doors, who think that the discussion of a question such as this may possibly in certain events tend rather to endanger than to facilitate the maintenance of friendly relations between this country and the United States of America; they may say that the very discussion of the possibility of hostilities between the two countries is likely to induce rather than to postpone those hostilities. They may say that by constant allusion to this question, by public argument and discussion as to the possibility of such hostilities, the people of the two countries might come to consider first that they were possible, then probable, and at last natural and almost inevitable; and upon this ground they may object to any discussion and choose to shut their eyes to existing facts rather than by discussion and argument to put this House and the country in full possession of the present state of affairs. Now, I am not of that opinion myself. I believe that the truest policy in cases such as this is, that the House and the country should be made fully acquainted with the real facts; and beyond that I would say that if any remonstrance against such a discussion were to be made—if any remonstrance were to be addressed to anyone in this House or out of it, it ought to be addressed to Her Majesty's Government, who had placed upon the table of the House papers not only contemplating the possibility and probability of hostilities, but considering the possible course these hostilities might take, considering and pointing out what they seem to think might be the result of those hostilities, and the disgrace and defeat they must, or at any rate might, entail upon British arms. By publishing those papers they have, I believe, done as much as in them lies to discourage the friends if not to encourage the adversaries of this country. But there are others also I know by whom the object of this Motion may be misunderstood and misrepresented. There are those in this House and out of it who from a persistent partiality for the Federal States of America, and from a sympathy—a conscientious sympathy I have no doubt—with the object of the Federal policy would be likely to attribute to me a desire to increase rather than to allay irritation in this country against the Federal Government, and in that way to augment rather than to diminish the probability of hostilities. If such imputations be made, all I can say is that nothing can be more unjust. For myself, I believe there is no one in this House who would not deprecate the utterance of a word, either here or out of the House, that would increase irritation or which might possibly lead to hostilities between this country and America. I differ widely from the hon. Member for Radnorshire (Sir John Walsh), who seemed to consider that the course lately taken by the American Government to effect the termination of the Convention relating to the limitation of the naval force of the two countries on the Lakes was conceived by the American Government in a spirit of hostility to England, and that the termination of the Reciprocity Treaty marked a clear spirit of hostility to this country. I have never held such language, nor do I think it is justified. As to the termination of that Convention, the American Government are perfectly justified in proposing it. What are the circumstances under which the notice to terminate the Convention is given? A party of sympathizers make a descent from Canada; an American vessel is seized on one of the great Lakes; it is only by accident that a second vessel is not seized; and then the avowed object might have been carried out—namely, the liberation of a large number of Confederate prisoners on Johnson's Island. Under such circumstances, seeing that there were nearly 2,000 prisoners there—that an attack had been made on American property in American waters, I think the American Government were justified in having recourse to this measure, the object being an increase of force for police purposes on the Lakes. I would also say this, that this measure was proposed, in the first instance, by the Federal Government as a temporary measure during the continuance of the war, and a communication announcing this was made to this country; but afterwards notice was given for the permanent and total termination of the Convention. For this Her Majesty's Government are to blame. The moment the Federal Government intimated their intention to take some measures of a temporary character, or increase their naval force, the English Government ought at once to have met them and have said, "The object is as important to us as it is to you; we are ready to enter into arrangements for a temporary increase of the forces on both sides for the naval police on these Lakes." If we had done that we should never have had that which may produce complication and embarrassment in the future — the notice to terminate completely and permanently this Convention. Then, as regards the Reciprocity Treaty, the notice relating to it may have been given in a moment of irritation, and in consequence of the events in Canada; but I must say this, that the course our Government ought to have taken was to say, "Do not prematurely put an end to this treaty, which has removed so many causes of difference and quarrel; point out where it may be amended, we are willing to meet you, and to modify the treaty." If that had been done the Reciprocity Treaty need not have been terminated, questions with respect to the fisheries which have placed the country on the brink of war would not have been opened, and we should have been free from having these questions raised. I wish, in these observations, not to attribute to the American Government anything like a feeling of hostility to this country; on the contrary, I think that for the last few months the communications that have passed, generally speaking, have been marked by a far greater spirit of conciliation, consideration, and moderation than characterized the earlier communications of the American Government. I am happy to believe this; and I believe it is owing to the wise, discreet, and prudent bearing that has always marked the conduct of the American representative in this country, who has done more than any man living to preserve peace between the two countries, and who has conferred by so doing equal benefits on the citizens of his own and of this country. I will not attribute to the American people the desire of war with this country. I believe the educated and intelligent class, and also the most influential one in that country—though not those who take the most prominent part in public affairs—I believe the bulk of them would deprecate, as much as the people on this side of the Atlantic, hostilities with this country. I am also free to admit that in prospect of the termination of the struggle yet going on, the bulk of the educated people in America will feel the necessity of healing the wounds and distresses which such a long course of intestine warfare has brought on their country; therefore I do not desire to attribute to the American Government or people any hostility to this country, or desire to be engaged in war with it; but I think it would be worse than folly to shut our eyes to what may possibly happen. Let us take one instance—what might have been the result of an accident in the course of last year or year and a half? Supposing that the ill-tempered and hasty declaration of General Dix—a declaration at once most honourably disavowed by the American Government — had been acted on, that an attack had been made upon Montreal—that American troops had been met by French and British troops, and that blood had been shed and life lost. I say, what might have been the result? Take, again, the case of the vessels on Lake Erie. Suppose that both had been seized, and the whole of the 2,000 Confederate prisoners set free, might not the flames of war at once have burst forth? Therefore it would be idle for us —though we may give credit for a desire for peace to the American Government and people—to shut our eyes to all this, that under certain contingencies it is far from improbable, certainly far from impossible, that hostilities might have been provoked. Then, again, it is not long since I read a despatch from Mr. Seward to Mr. Adams, giving an account of the interview between the Federal and Confederate authorities, and what is the account that Mr. Seward gives? Mr. Seward, giving an account of the interview, says—

> "What the insurgent party seemed chiefly to favour was a postponement of the question of separation, upon which the war is waged, and a mutual direction of the efforts of the Government, as well as those of the insurgents, to some extrinsic policy or scheme for a season, during which passions might be expected to subside, and the armies be reduced, and trade and intercourse between people of both sections be resumed. It was suggested by them that through such postponement we might now have immediate peace, with some not very certain prospect of an ultimate satisfactory adjustment of political relations between the Government and the States, section or people, now engaged in conflict with it."

Now, the first thing I would point out is that this proposition has been made, though it has not been accepted; but this is also to be remarked, that when the proposition was communicated to Congress by the President, in the references made by Mr. Seward to the subject, there was not one word expressing disapprobation of the proposal, or repudiatory of it; not one word was used in denouncing it as a faithless and treacherous proposition against a friendly Power. I am aware that the Confederate Government, who have made a statement to the French Government, and no doubt also to ours, repudiate the proposal as having come first from them. It does not matter from whom it came first; all that I wish to point out is that the proposition has been made. It has not been adopted; but if it had been, it would not be the first time that two conflicting Powers have thought it the best way to gain their objects to turn upon a defenceless neighbour, and join in acts of violence against him. Why, it was only last year that we had the spectacle of two great military Powers of Europe, who had objects of their own to gain—thinking, moreover, thereby to establish concord between themselves—turning upon a third and defenceless Power and committing acts of violence and spoliation which will ever redound to their shame. What I wish to point out is, that though I do not believe this system will be acted on by the Federal Government, yet that they have not repudiated it, that they might find themselves in an emergency compelled to entertain it, in which case the consequences to us would be most serious. What is very important is to consider the position if the Federal Government should be successful in the conflict with the Confederate States. I would give the American Government the fullest credit for a desire to maintain peace with this country; I believe the educated, intelligent class are doing everything to maintain peace. It may be of the greatest importance to them to have time to recover the strength they have lost in this gigantic struggle; but, at the same time, let us remember that the Americans are proud, high-spirited, boastful. They may be intoxicated with success, and they may say that they have cause of complaint against this Government. Not without a show of reason they may complain that they have had their commerce swept away. They have been told that the vital strength of the rebellion lay in the fact that England set the example of an acknowledgment of belligerent rights.

They will be exulting in their triumph, and they have the paper produced by the Government of England to prove that they have only to stretch out their hands to seize the prize which we should not have the power to keep from them. Giving every credit to the Government and people of the United States for a desire to maintain peace, are we to shut our eyes to all this? If that be so, the question that we have to look to is very shortly and simply set before us in the Report of Colonel Jervois laid on the table by the Government. Almost the last paragraph in that Report is this—

> "The question appears to be this—whether the British force now in Canada should be withdrawn in order to avoid the risk of its defeat, or whether the necessary measures shall be taken to enable that force to be of use in defence of the colonies."

That is the question I wish to bring to the notice of the House this evening, and to which I shall address myself; and of the two propositions contained there I do not think there are five men in this House who hesitate as to what ought to be done. I do not believe there are the men, either in this House or in this country, who would say they would abandon Canada to her own defence, abandon the Canadians in their difficulty, and withdraw our troops lest they should be defeated or taken prisoners. I do not believe there is a man in this House or out of it who would assent to a proposal so disgraceful to the British name. Then I come to the other alternative, whether the necessary steps should be taken to render the British troops of use. Now, it has been urged here by speakers both on this side of the House and that, that the first thing to make the colonies understand is that if they take the management of their affairs upon themselves they must be responsible—if not entirely, still for the greater part—for their own defence. I think there is soundness in that proposition; but I wish to point out that the case of Canada, certainly under the circumstances I am alluding to, is very different from that of any other colony we can name. We have given responsible government to New Zealand. We have war with the Natives, but it is not for us to bear the expense of the Maori war, which the policy of those in New Zealand—we having no control over that policy—has brought upon us. Again, it is not for this country to be engaged perpetually in Kaffir wars. These are cases where, having given responsible government, it is for those who have accepted it to exert themselves in their own defence. My belief is that if Canada were independent to-morrow she would not run the slightest danger of a conflict with the United States. My opinion is that there are impediments, financial, industrial, and political, which would interfere with the annexation of Canada. My belief is that they would be content to see that colony, if independent, growing up side by side with them. But Canada is united to this country; she wishes to remain so united, and we have the authority of Earl Russell for saying that as long as the Canadians choose to stand by us we are bound to stand by them, and that it would be a disgrace and dishonour if we allowed them to be swallowed up by another Power. But we must remember this, that the only cause of quarrel that can occur between the Canadians and the North American States is their connection with us; it is only because the Americans can strike us through the Canadians that a breach could occur between them. In this case the American had not cause of quarrel with the Canadian as such, but because he is in connection with this country. It must be firmly borne in mind that the quarrel is not between Canada and the United States. The Canadians have not permitted the *Alabama* to escape; they have not precipitately acknowledged belligerent rights; they have done everything they could, as far as these raids are concerned, to put them down; they have met the American Government half-way in all the measures which have been adopted to secure the peace of the frontier; and it was only the other day that a distinguished American said to me, "I only wish that the conduct of the mother country had been half as loyal to America as that of her colony has been." Therefore there can be no cause of quarrel between Canada and the United States except the fact that she is united to England. Well, then, what are the means and preparations for her defence? I think it is perfectly clear that if the cause of dispute were an Imperial one—if we were bound to stand by the Canadians while they were willing to stand by us, it would be impossible for us to do otherwise than exert every means in our power to contribute towards the defence of a country brought into danger wholly by its connection with us. What are the means of defence that have been proposed by Her Majesty's Government? They have had commission after commission sent out to Canada. They had a commission in 1862 of which Colonel Gordon was a Member; and although its recommendations were very similar to these they were more extensive, and contemplated an expenditure of money and construction of fortifications so vast that the Government sent out another commission in 1863. Another commission also was sent out in 1864, and what has been done? Practically, nothing. I wish to point out to the House what are the propositions made by the Government. The Report of Colonel Jervois proceeds on this ground—that the defence of Canada must be military, by a union of a certain amount of British force with a large Canadian force, protected and supported by additional fortifications. Colonel Jervois also points out what is of still greater importance — namely, that the great and real means of defence for Canada must be a defence by the Canadians themselves. What is it that is now proposed in regard to fortifications? What you propose to do is not to touch the fortifications of Montreal, but the only thing you will undertake to do is to strengthen the fortifications of Quebec; and so slow and prudent are you in the course you are taking, that you are not going to expend more than £50,000 in the present year. Now, the first thing I wish to know is this—if you now come forward convinced of the necessity of fortifying Quebec, why did you not take steps to effect this object three years ago, when this work was recommended to you by Colonel Gordon, who told you that it was imperative and inevitable, and when Colonel Jervois recommended it to you in the very Report which you have laid upon the table? He says—

> "I pointed out to your Lordship, in my Report dated February, 1864, as the result of my inspection in Canada, that the construction of certain works of fortification at Montreal and Quebec was essential to enable the British troops and local forces to resist an invasion by the Americans with any prospect of success."

Now, you had Colonel Gordon's recommendation before you three years ago, and you had this Report of Colonel Jervois before you since February, 1864; and yet it is only this year that you acknowledge that it is your bounden duty to assist in the defences of Canada by the fortification of Quebec. I ask you, then, why have you delayed it until now, or why have you not completed those defences long ago? I am aware that to a certain extent Her Majesty's Government may find a justification in their proposal to expend only £50,000 in the present year; for as regarded the permanent works which are to be erected on the right bank of the St. Lawrence, the expenditure of £50,000 was perhaps as much as could be well expended at that point. But what is the course which the American Government have taken in respect to their fortifications? Have they been contented with spending only the sum necessary for the establishment of permanent works? Have they been content with the completion of the permanent fortifications in a certain number of years? No. What they have done is this. They are now engaged in constructing, side by side of their permanent fortifications, temporary earthworks, which are necessary for the security of their permanent works, and efficient for the defence of their possessions and their harbours. Now, if you confine yourself to the erection only of the fortifications in question, £50,000 might be as much as could be expended for that purpose at this particular period. But, at the same time, with respect to the erection of earthworks on the other side of the river, it is your duty promptly and without loss of time to put Quebec in that state of defence by the erection of earthworks which shall make it secure against any attack during the construction of the permanent fortifications. I wish also to ask you, what are you doing with regard to the armament of Quebec? No doubt it has been improved. I have been informed —indeed I know—that within a short period guns of considerable calibre, but very few in number, have been sent. But what is the general character of the armament? The guns are of the most antique description, and utterly useless against iron-clads at 100 yards distance. They are absolutely inefficient, and even those inefficient guns, according to letters I have received, are placed upon carriages so rotten that if you stumble over them you will break them to pieces. Well, I ask, is that a position in which a great Imperial fortress should be left, considering that the Government had at least three years' notice of the pressing and vital importance of putting it in a state of complete defence, and which obligation they now at length acknowledge. Now, as regards the fortifications proposed for Montreal and Kingston. The fortifications of Montreal are put down at £450,000. I wish to know whether the Canadian Government are to find that money; and who are to construct the works. Do you leave these works to the Canadian Government to construct, or do you mean to do them yourselves? If you mean to do them yourselves, do you intend to wait for the Canadian Government to raise the money? Now, remember what the position of the Canadian Government is at the present time, when you are putting upon them the responsibility of finding an amount equivalent to your £1,000,000 sterling, at the time that they are carrying out their project of Confederation, when it is obvious that they cannot engage in the financial operation of raising a large sum of money by loan. I want to know what steps Her Majesty's Government are taking in carrying out the recommendations of Colonel Jervois, and whether they are to be carried out on the understanding with the Canadian Government that the British Government are to advance the whole sum necessary, to be repaid by instalments, or whether you are going to proceed with a shilly-shally policy, taking neither the one course nor the other, but throwing upon the Canadian Government all the responsibility, and then, when it may perhaps be found that they are unprepared to help themselves, reproaching them by saying that as they did not find the money in time they must take all the consequences of their want of preparation. Let us remember what was done when we were engaged in a foreign war. What did Her Majesty's Government then do in the case of Sardinia? You came down to the House and proposed a loan of £1,000,000 to Sardinia. Recollect, too, that Sardinia was then a foreign Power, and engaged with us in a foreign war. Well, I want to know if the emergency was so pressing then in regard to a foreign ally, are you prepared to do less for your own countrymen, for the vindication of your own honour, and for the security of your brethren in Canada now than you did in the case of Sardinia when engaged with us in the war against Russia. I wish an answer to the inquiry of the right hon. Gentleman the Secretary for the Colonies (Mr. Cardwell), not in general, but in plain and distinct terms—in what position are you, Her Majesty's Ministers, placed in relation to the Canadian Government, as regards the ability of the Canadian Government to carry out those works, and if they are able to carry them out whether they or the British Government are actually to carry them out. There is another matter connected with these defences suggested by Colonel Jervois—namely, the Government works at Kingston. This was connected with the communication with the western districts; and in the view of Colonel Jervois the country between Lake St. Louis and Lake Ontario should be protected by naval forces on the St. Lawrence and the Lakes, as well as military defences. From the sea to Quebec there are some most powerful sea-going vessels having free access from Quebec, and from Quebec to Montreal and Lake St. Louis on the St. Lawrence there could be a most effective and successful defence by gunboats drawing fifteen or sixteen feet of water, iron-plated vessels, and armed with heavy artillery. That is clearly a position of defences that must be undertaken by the country, and cannot be undertaken by Canada. From Kingston to the head of the Upper Rapids again the defences must be by gunboats. But it is obvious that if you are to have efficient maritime naval defences on the Lakes and the St. Lawrence you must have some place where a depôt could be provided for steam vessels, where they can go to coal and to repair and where their stores would be in safety. It is, therefore, proposed for the safety of the vessels engaged in the naval defences of Lake Ontario and the St. Lawrence that a large depôt shall be established in Kingston. Now, I wish to ask what Her Majesty's Government are doing there? Are Her Majesty's Government or the Canadian Government about to carry out the scheme that was proposed? Are you or the Canadian Government to find the necessary money for the purpose, or are you prepared to assist the Canadian Government with money? Furthermore, I wish to know in regard to these fortifications, which are admitted to be of the greatest importance and most formidable character, whether Her Majesty's Government are doing anything in the way of temporary arrangements by the erection of earthworks which are essential to secure the safety of the two positions upon which, according to Colonel Jervois's Report, the security of the British troops depends. There is another question regarding the system of defences recommended by Colonel Jervois. What are Her Majesty's

Government doing with regard to gunboats? Beyond a certain point, we have at present only two vessels of small size. What are you doing towards preparing others, without which you cannot defend the St. Lawrence from Quebec to Montreal? There are no gunboats upon the Lakes. It is perfectly true that until the expiration of the notice of the American Government respecting the Lakes, we cannot have an increased force upon Lake Ontario. But we can all recollect what the French Government did when placed in similar straits, and what I understand the American Government are doing now. In the time of the Italian war the French Government constructed iron-plated ships at Toulon, which were carried in segments to the Italian Lakes. They were there put together in a few days and rendered most efficient service to the French arms. The same thing I am informed is now being done in the navy yards of New York and Boston. I wish to know whether Her Majesty's Government are taking any steps whatever, in lieu of the present inefficient force, to place on Lake Ontario an adequate naval force at the time the notice expires to terminate the convention. If I am told that this is a precipitate course, I will ask the House to listen for a moment to what the American Government are doing in respect to this matter. We had notice of the feeling of America in regard to this country soon after the affair of the *Trent;* and I do not think that anyone can wonder that a high-spirited people like the Americans should feel humiliated at the result of that transaction. But what have they been doing from that moment? They know in case of a war with this country the points we should attack, and without ostentation they have been sparing no expense in placing their weak and vulnerable points in a complete state of defence. What, then, is the position in which they are now placed? I am told that in Portland there is a new granite work erected mounting upwards of eighty guns, that the earthworks which before existed have all been strengthened by the construction of permanent works, and that these fortifications, one and all, are armed with the heaviest artillery that the United States could produce. And as regards Boston, I understand that the old forts have not only been strengthened, but are armed with the most formidable artillery. Upon the adjoining island new batteries have been raised, principally of earthworks, in anticipation of more permanent works, mounting over 100 guns of the most formidable character. As regards New York, a naval officer who has been there lately, and who has seen the works of Cronstadt and Sebastopol, states his belief that the fortifications of New York are infinitely more formidable than either of the other two, and equal to any fleet that can be brought against them. I want to know what we have done in this direction, after having been warned repeatedly that hostilities might at any time break out. Now, I do not believe that the American Government are anxious to precipitate hostilities with us; but, at all events, they have been wise enough at the earliest possible time to establish the most perfect defences that modern science could suggest upon their vulnerable points, not with the view of ever coming over to this country, whilst the noble Lord and his friends were spending almost fabulous sums upon Portsea Down and other places at home. Now, in the case of war with America, the frontier of Canada was our vulnerable point. You were warned three years ago by the Report of Colonel Gordon of the defenceless state of that frontier, and yet no steps whatever have been taken by Her Majesty's Government to remedy that evil. Even your own works at this moment are armed, not with weapons of war such as the United States Government have armed their forts, but with inefficient and antiquated pieces of artillery. So much for what our Government have done with regard to fortifications. Now what have they done with regard to gunboats? The American Government have opened a large credit for increasing their gunboats upon the Lakes, whilst we have been doing nothing. I am told that for the defence of Lake Ontario and other places the navy yards in New York and Boston are busily occupied; whilst Her Majesty's Government are at this moment taking the chance of the chapter of accidents. And if, luckily, we do escape any cause of quarrel with America, as I hope and trust we may, it will not be from any feeling on their part that we have placed ourselves in an efficient state of defence, but it will be owing to a lucky accident or to their forbearance, or to the circumstance of no political question arising to excuse a declaration of war. But I have received another letter on this subject, of the contents of which I believe Her Majesty's Government are perfectly aware. I shall read an extract of that letter, which is dated "New York, February 20, 1865." The writer says—

> "You may not, perhaps, be aware that the Federal Government are now actively but quietly preparing for a conflict with England, should such unhappily take place, and which the nation are looking forward to."

Now, as I have said, I do not agree in the slightest degree with the views of the writer. I do not believe that the steps taken by the American Government in reference to the revocation of the Reciprocity Treaty concerning the Lakes have been taken with any feeling of hostility to England, but they are justified by a consideration of their own interests and the security of their defences.

> "All this," continued the writer, referring to the Reciprocity Treaty, "is well known, but the operations of the American navy with regard to the American Lakes are not well known, nor their course of conduct even in London itself. They are these:—An American firm of boat builders in London have received an order from the Federal Government for the construction of forty steam launches or gunboats, to be forty-five feet in length, fifteen feet deep, on the double-screw principle, with high-pressure engines, to carry one gun each, and to move in a small draught of water. It is unnecessary to point out how mischievous such gunboats may be. They will be made to sail with a light draught of water, with great speed, and will be capable of acting vigorously in shallows and creeks. Already five of these formidable wasps, as they are called, have arrived out in the States, and the remainder are to follow when they are completed. If my information be correct, and I have no doubt it is, they are packed in cases in London, and will arrive here in such a condition as to render it a matter of no difficulty to transfer them by means of a double truck to Buffalo."

Now, I believe that Her Majesty's Government are in full possession of the facts contained in this statement. I believe that their attention has been called to them. I am also perfectly aware that they could not, under the existing state of the law, interfere with these operations; but still I want to know, not why we do not interfere in this matter, but what Her Majesty's Government are doing to meet the difficulties that appear to be arising? Are they preparing in the dockyards of this country anything by which we shall be enabled to place the American Lakes and the River St. Lawrence in a condition of defence, without which Colonel Jervois says in his Report that the only resource left to the British troops will be to retire to our ships as fast as they can, in order to avoid being taken prisoners? Now I have spoken at greater length than I at first intended, but I have been induced to do so from an earnest conviction that this is a matter of the most vital, pressing, and paramount importance. I ask the House to consider what has been our position during the last three years. During that time at any moment, in consequence of a raid from Canada—a step possibly set on foot by Confederate sympathizers with the intention of implicating this country in an act leading to a war with America—or in consequence of the intemperate order of an injudicious commander, or of some event striking alarm into the minds of the American people, war might at any time have broken out between this country and the United States. And once such a war commenced, who could say where it would end? You have in Canada the Guards, the flower of our army; you have troops there not only bearing the prestige of the Royal name, attached personally to the Sovereign, but counting amongst their members the scions of the nobles, and the best blood, and, what is nobler and better still, the annals of these regiments are illustrated by deeds of glory and heroism, achieved at Waterloo and the Crimea. But what was the position of these men during all this time? If war had unexpectedly broken out, Colonel Jervois tells you, the only counsel you could have given to them would have been to fly as fast as possible to their ships, to leave Canada and take refuge in this country. And if they scorned such advice—if they scorned to leave Canada to be conquered and ruined—as I am sure they would, then what would be left to them? Nothing but defeat and disgrace, a hopeless resistance and certain destruction. Well now, you have still 8,000 or 10,000 troops in Canada placed at this moment in the same position. What I want to impress on the House is, the fact that no man can say for certain whether hostilities may not break out suddenly between this country and the United States. But what you can say for certain is this—unless you set to work promptly, energetically, and without the loss of one hour to place the frontier of Canada in a state of defence, the best blood of your troops may be sacrificed and the honour of England tarnished. I, therefore, hope I have said enough to induce this House and the country to impress upon the Government the fact that the system which they have been following for the last two or three years will do no longer. It will not do to inquire and do nothing. It will not do to receive reports from our Commissioners and do nothing in respect to them. What you are bound to do is to come to an understanding with Canada as to the preparations that should be made under existing circumstances, and who should bear the expense attendant upon the fortifications and other necessary works of defence. You are bound at once to put in force the whole means at your command to make Canada what she ought to be—namely, capable of defence, and not a source of danger to this country. For my own part I shall be more than repaid for the trouble I have taken in the matter if one great object which I have in view is answered—that is, if the country and the Government are induced to put Canada into an efficient state of defence, so that in case the war at present raging in the Northern and Southern States should come to an end, the population of America—and I am speaking now not of those placed at the head of its affairs, or of those who might have influence—but I say emphatically, the population, intoxicated with success, should not allow themselves to be led into a war with this country under a belief that Canada is incapable of making any defence. I believe that by making Canada capable of defence you will strengthen the bonds of peace by removing one great source of temptation from those who might otherwise take advantage of it. And, on the other hand, should the day unfortunately arrive and hostilities arise between this country and the United States, I shall at least have done my duty in pressing upon the attention of Her Majesty's Government and this House the necessity of our adopting such efficient means of defence as might remove all possible danger from Canada, and prevent disgrace being brought upon our armies and dishonour upon our name.

MR. W. E. FORSTER: Sir, I do not rise in any way to deprecate the discussion which has been raised, and still less do I wish to object to the tone in which the hon. Member for Horsham has introduced the subject to the attention of the House. I only wish that the same tone may be generally exhibited in the course of the debate. My reason for troubling the House with any remarks is, that I wish to state how earnestly I desire, when a reply is given, that that reply should be most full and most frank; and that not merely as regards any question of duty we may owe to Canada or that Canada may owe to us, but as affecting the relations between the United States and Canada, and between the United States and this country through Canada. There are two or three questions raised by the hon. Member. One is, how Canada can be best defended from attack. Upon this I shall offer no remarks, as it is an engineering question. I can only simply say that I fear that if what the hon. Member wishes us to do is done, and we make Canada defensible throughout the length and breadth of her border against the aggression of her powerful neighbour, the expense will be enormous, beyond what he has any notion of, and I am afraid the hon. Gentleman will be handed down to posterity as an imitator, still more extravagant, of those fortifications which will immortalize the noble Lord. Then, there is another question. If Canada is to be armed, what is the relative share of the cost to be borne by this country and by Canada? On this subject I shall not trouble the House, seeing that the principle is becoming more established every day that the situation between this country and British America is very much one of an offensive and defensive alliance between two self-governing communities united together by allegiance to one legitimate Sovereign. Therefore we have a right to call upon the North American colonies by organization and union to assist in their own defence, and to prove their patriotism by a willing contribution of money and of men. There is, however, another question referred to by the hon. Gentleman which has a more immediate interest to all in this House. That question is whether there be any urgent necessity that those two allies should at once enter into arrangements for the defence of Canada against a possible invasion by her powerful neighbour. No one can object to the tone of the hon. Member for Horsham; but is it clear that there is such danger as he seems to apprehend? Is there reason to fear that peace between the two sections of the North American States now contending with each other would mean war by them against this country, with Canada and the ocean for battlefields? I know that fear does prevail extensively, but I need hardly say that I do not entertain it, as I believe it to be utterly groundless. Still that fear does prevail; it keeps down the funds and affects all the calculations of commerce. A contest between the United States and ourselves would be a disgrace to civilization, and might almost be called one civil war taking the place of another. Though I believe that fear to be utterly unreasonable, and based upon no foundation, certainly men of great eminence and high position—men whom the country looks upon with respect—have done their best sincerely, without doubt, to excite this fear. I do not say this of the hon. Member for Horsham. He could not have expressed that fear in more moderate language or more conciliatory terms than he had done. But this has not been the case with other members of the party to which he belongs. We all know that a statesman who is not only respected by his own party, but by Members sitting on this side of the House, has taken occasion to express fears of an immediate war with the United States in a much more urgent manner and with a much less conciliatory spirit than the hon. Gentleman—the Earl of Derby, in the House of Lords. [" Order!"]

MR. SPEAKER said, it would be contrary to Order to read a report of a speech made in the House of Lords during the present Session.

MR. W. E. FORSTER: I will only say that the noble Earl made a speech somewhere—but I will not say where—and that he took occasion of the despatch which had been brought forward to-night being laid on the table, to say that he considered that the publication of that despatch showed very great danger — a danger arising from the hostile feelings of the American people towards this country; and he went on to say he considered that danger arose from symptoms of menace from the United States, and that the danger was great, urgent, and absolutely impending upon us. Well, when eminent statesmen in the position of Lord Derby come forward and express their fears in such language as this, can we wonder that they are felt throughout the country? I thank the hon. Gentleman for what he has said to-night, and I hope from its being known that he is in relation with that statesman, that the speech he made to night will, to some extent, undo the harm in this country and in America which the remarks of the noble Lord were so likely to cause. The fact of such a debate as this gives us a right to call upon the Government for the fullest explanation. Let them tell us if there are any despatches or facts of which we are not at present aware, which would warrant the language that had been so used elsewhere. If there are no such despatches or facts, let them reassure the country. Though I believe this fear to have no foundation, and that this danger is non-existent, I cannot deny that the expression of fear does tend to call the danger into existence. Perhaps I should not say " fear," for we are a brave and high-spirited people, and fear is not one of our besetting sins. But we are a suspicious people, and when suspicions are aroused we know that, however unreasonable, they are by their very nature irritating, provocatory, and aggressive. We know how it was two or three years ago when we were afflicted with a French panic. I believe there is nobody now who is not ashamed of having believed that the French Emperor would come over like a thief in the night and land an army on our shores. No man looks back on that period who is not ashamed of it. But how near was that suspicion realizing its own fear, and with America the danger is still greater, for the similarity of language between the two countries gives double force to irritating taunts and expressions. Take the remarks which appeared in the most influential journal in this country only last week. In a leading article last week *The Times* made use of this language:—" If the Federals can go to war with us with a prospect of success, they will go to war." I see there are some Gentlemen in the House who hold the same opinion; but will they agree with the concluding paragraph of that article, in which a hope is expressed that the present terrible contest will continue to devastate America and to decimate the population, so that the Northern people, to whom are imputed hostile intentions against us, may become exhausted? If there be such hostile feelings entertained towards us, it is important to ascertain the fact. True, there have been articles in American newspapers of a hostile character, but articles of a similar tendency towards America have been published in newspapers here. For every attack in the American papers, I could get one in this country attacking America; and because of these articles is it to be supposed that we wish to go to war with America? There have been speeches made in the American Congress which I consider to be unwise, but have we had no unwise speeches in the English Parliament? But after all, nations can only be made responsible for the acts of their Governments by which they speak. Now, what have the Government of the United States done to produce this feeling? I am glad the hon. Gentleman acquitted them, but there again he differs from his chief, who said he considered the notice given for the discontinuance of the arrangement with respect to the vessels to be kept on the Lakes was without provocation. Now, what is the fact in relation to this point? I will refer to the notice given by Mr. Adams of the discontinuance of the arrangement because the hon. Gentleman, no doubt unconsciously, did not fairly represent the effect of that notice. He seems to have an impression that the notice was final, but I do not understand the notice in this way, for Mr. Adams, after referring to the attacks on the steamers in the Lakes, and the raid made upon St. Albans, and the necessity of preventing the recurrence of such acts, says—

> "I am, therefore, with great regret instructed to give this formal notice to your Lordship, that, in conformity with the treaty reservation of the right, at the expiration of six months from the date of this note the United States will deem themselves at liberty to increase the naval armament upon the Lakes, if, in their judgment, the condition of affairs in that quarter shall then require it."

We all know, however, that a great deal may happen in six months. It is my belief—and in that belief many persons coincide — that before that time has elapsed it is by no means impossible that the war itself, and with it the very state of things which has led to this notice, may be at an end. Mr. Adams goes on to say—

> "In taking this step I am desired to assure your Lordship that it is resorted to only as an indispensable measure to the national defence, and, so far from being in a spirit of hostility, that it springs from a wish no less earnest than heretofore to preserve the most friendly relations with Great Britain. I take pleasure in adding that it is the fixed purpose of my Government in every case to direct its energies to the prevention of all attempts to invade the British territory, whether by way of retaliation or otherwise."

If words express any meaning at all that despatch conveys the impression that that arrangement is not regarded as a bad one by the American Government, but that it is simply thought necessary to depart from it on grounds of self-defence, and that as soon as the causes which have led to the departure had ceased, the desire for its termination would no longer remain. My hon. Friend evidently labours under a misapprehension with respect to the Reciprocity Treaty, because as yet no notice has been given for its termination. Notice has been given of a Motion to that effect in the American Congress, and if carried the repeal can only take place at the end of the year. That is a case in which diplomacy may be expected to interfere with effect. There are two parties in America, one of which is interested in the maintenance, and the other in the abrogation of the treaty, and the party who think that their interests are injured by it have unexpectedly an argument given to them by the expression of sympathy in this country and in Canada in favour of the Confederates. But when the cause of irritation is removed I believe the feeling to which it has given rise will also depart. My full belief is that the great majority of the American people believe that the treaty in its main principle is of immense advantage to both, that it has led to great prosperity and good feeling between them, but that in reality it is more advantageous to the greater portion of America than to Canada. I have no doubt they will exercise their influence over the Government of the United States, and that instead of a repeal, the treaty will only be slightly modified. The hon. Gentleman dwelt upon the efforts which the Government of America made to fortify their own shores, but surely he did not wish it to be supposed that their taking measures of defence was to be construed into an act of hostility, or as imputing an intention of hostility against this country. Though our Government has pursued a strict course of neutrality, attempts have been made to cause them to depart from that neutrality, and in the apprehension that these attempts may be successful, surely the American Government would not have done their duty if they had not made such preparations for defence as they thought might be required in such an eventuality. Other complaints have been made against the American Government. It is said that they have a hostility towards us, and that the claims which have arisen out of the depredations of the *Alabama* and other ships which have issued from our ports—claims which this country will feel itself bound in honour to refuse—will be made an excuse for war. Now I wish to ask the Government if there is any despatch which gives ground to believe that such claims will be enforced in such a manner—whether there is any despatch affecting the principles of these claims since the despatch of Mr. Seward to Earl Russell of the 23rd of October, 1863 ? I trust the House will allow me to call attention to the words in which that claim was made. After giving the reasons on which the claim was founded, such as the destruction of property, and accusing us of a want of promptitude in our attempts to hinder the departure of these vessels from our shores, Mr. Adams says—

> "Upon these principles of law and these assumptions of fact resting upon the evidence in the case, I am instructed to say that my Government must continue to insist that Great Britain has made itself responsible for the damages which the peaceful law-abiding citizens of the United States sustain by the depredations of the vessel called the *Alabama*. In repeating this conclusion, however, it is not to be understood that the United States incline to act dogmatically or in a spirit of litigation. They desire to maintain amity as well as peace. They fully comprehend how unavoidably reciprocal grievances must spring up from the divergence in the policy of the two countries in regard to the present insurrection. They cannot but appreciate the difficulties under which Her Majesty's Government is labouring from the pressure of interests and combinations of British subjects apparently bent upon compromising by their unlawful acts the neutrality which Her Majesty has proclaimed and desires to preserve, even to the extent of involving the two nations in the horrors of a maritime war. For these reasons I am instructed to say, that they frankly confess themselves unwilling to regard the present hour as the most favourable to a calm and candid examination by either party of the facts or the principles involved in cases like the one now in question. Though indulging a firm conviction of the correctness of their position in regard to this and other claims, they declare themselves disposed at all times, hereafter as well as now, to consider in the fullest manner all the evidence and the arguments which Her Majesty's Government may incline to proffer in refutation of it ; and in case of an impossibility to arrive at any common conclusion, I am directed to say there is no fair and equitable form of conventional arbitrament or reference to which they will not be willing to submit."

This despatch shows that the American Government put forward the claim in a conciliatory manner; that they did not put it forward in a peremptory manner, or wish to make it a question of honour between the two countries. The hon. Member for Birmingham brought it out the other night that we had a number of claims against the American Government. By a Parliamentary Paper of the 31st of March, 1864, it appears there are 451 such claims. I dare say the vast majority of these claims are just; but it would be quite unreasonable to say that because we made these claims we would peremptorily enforce them. The United States are likely to act towards us in the same manner. I wish to ask the Treasury Bench to inform the House whether there is any despatch from the American Government altering the principle on which these claims have been put by Mr. Adams ; whether, in fact, any claim has been made since that letter except one claim on account of the destruction of the *Sea Bride* by the *Alabama,* and in that case according to the principle thus laid down ? If the conduct of the American Government is so different from what it is said to be, why these extraordinary misrepresentations? Why this suspicion of the American Government? I do not believe, as Lord Derby, and as other Gentlemen in this House seem to believe, that there is a desire in America for a war with this country. The people in America have a longing for peace, they desire it with eagerness, as any one who mixes with Americans knows, and I cannot believe that with the debt and the sacrifice and loss of life which war has imposed on them, they will inaugurate peace amongst themselves by an unprovoked war against a nation that is more powerful than the Southern States, and which would be attended with burdens far greater and sacrifices much larger than they now experience, even though their attempt against Canada was in the first instance successful. I attribute the present feeling in this country to two classes of men who have got hold of the British public and misled them. They are, first, the Confederate agents and those who sympathize with the South, and, secondly, disappointed prophets. My hon. Friend the Member for Horsham allowed, I think, the first class to get at him. That letter, containing the extraordinary account of the gunboats, came, I think, from a Confederate source. [Mr. SEYMOUR FITZGERALD : No !] Many men in this country have been most active as Confederate sympathizers—I do not blame them for entertaining strong feelings—and in this the last gasp of the rebellion they are straining every nerve to frighten England into taking the only step which is likely to rescue from defeat the cause to which they are devoted. There are men, too, of great literary fame in this country who must be vexed at the shortcomings of their prophecies, and who, after having foretold from day to day the miserable failure of the Federal Power, deem it convenient to hide their fallacies, or, at all events, divert attention from their mistakes, by continually urging upon their countrymen that success in the North would only be the herald of a war with this country. These are the men who say that whatever the American Government may say or do, we are not to trust to it, because however friendly the Government may be, the people are unfriendly. The question is of such immense importance that I trust the House will allow me to state my reasons for believing that the charge against the American people is as unfounded as the charge against the American Government. That charge is based on three ideas, all of which I believe rest on fallacies. The first idea is, that the United States—I mean the Federal Power, the Federal people—are greedy of empire and of dominion. The second is, that they are vindictive and eager for revenge, and the third is that their Government is unable to control the people. I believe there is a fallacy in each. I will take the last first. The right hon. Gentleman the Member for Horsham seems to suppose that the American Government are unable to control the temporary irritation of the people. Now there is no Government in the world to whom such an inability can be less attributed, because though the American Government is a Government of the people, it is not therefore the Government of a mob; and I challenge any hon. Member to produce a case in which the mob of America has controlled the Government. There are dangerous mobs in New York, and maybe in one or two other towns of America, but America is not so much responsible for them as England and Ireland, who sent them. But supposing there are mobs in the cities, it does not follow that they have any influence over the American Government. The real power over the American Government is the great body of farmers throughout the country, who care nothing for the mobs in New York or in any other city in the Union, and there are checks in the forms of the American Government which prevent any yielding to temporary irritation much stronger than any which exist in this country. If there be faults in the American Government—and there are very great faults—it is because that Government is less liable to be influenced by the temporary feeling of the people than it ought to be. The reason of that is that the Executive is more independent than ours. The President has far greater power in that respect than the Prime Minister of England; and the fact which seems to us so strange, that the Members of the House of Legislature sit for months after they are virtually turned out, is an evidence of the checks which are provided by their system against temporary influences. What has happened during the war shows this. If an English Ministry had made the failures which have occurred in the conduct of the American armies and of American policy the English people would not have shown the same long-forbearing patience, but we should have had change after change of Administration. Therefore the fear that the American Government is likely to plunge into war through any temporary irritation on the part of the people is totally unreasonable. It is said, in the second place, that the people are eager for revenge. I do not deny that there are and have been some things done by England which America might feel somewhat bitterly, but these have been the acts of individuals, and not of the Government, or of the great body of the people. I am sure that the adherence to their cause of the Lancashire operatives during their great trials has tended to create as good a feeling in America as any thing said or done by persons in high stations in this country has tended to create a contrary feeling. For one man in this country who has deluded himself into the belief that this great experiment — the greatest in modern times — is failing, and has boasted with premature joy over the bursting of the bubble, there are at least a hundred who, like the noble Lord at the head of the Foreign Office, have hoped from the beginning that the great Republic would come out of the struggle unscathed, and rejoice now that it seems likely that she will emerge purified from that slavery which has been her weakness and shame because it has been her sin. I now come to what is more beneath this feeling than almost anything else—namely, the belief that the American people are greedy of dominion. For this the noble Earl (Earl Russell) is in some measure responsible, because in one of his speeches he declared that the North was fighting for empire and the South for independence, from which statement the deduction is easy that if the American people fight for empire in the South they would also fight for empire in the North. I will not say whether the North has been fighting for empire or not, but it certainly has not been conscious of it. The Northern people believe that they are fighting to prevent the destruction of their country; and in any attack upon Canada they could not feel that they were fighting in anything but an unprovoked war for empire, and that would be a very different feeling from that which now animates them. Then, if there be no such immediate danger, surely we may consider the question of fortifications with coolness and deliberation, and not with the certainty of incurring expenses which may affect the Budget not only of this year but of future years. Besides, these fortifications would be of little avail if Canada were attacked. The matter would have to be fought out by our inflicting injuries on the Americans in other quarters. If Canada is to be defended, her best defence will be a perseverance in those principles of neutrality which, through her Government and her Assembly, she has shown a determination to enforce, by preventing these midnight raids upon her neighbours. The best aid we can give to her is for us to take care to hasten the time when the wounds of this terrible war between North and South may be healed over; in the prosperity of that country which will arise from its fruitful soil and boundless resources, freed from slavery; when the jars which the war has caused between America and England shall be forgiven if not forgotten; when all English-speaking men, either in these islands or her dependencies, or in the great Republic, shall feel themselves so bound together by common interests, by the ties of language, blood, and faith, and common freedom, that war between any of these communities will be as abhorrent and revolting to their inhabitants as a war within their own borders.

Mr. CARDWELL: Sir, the hon. Member for Horsham concluded his speech by saying that if ever a disaster overtook us from the want of proper energy and foresight on the part of the Government, he should feel the utmost satisfaction from the reflection that he had at least given early notice of the danger. But if such a contingency did ever arise it would be a still more natural source of satisfaction to any person, whether a subject of the Queen, or a citizen of the United States, to be able to say that not a syllable had fallen from him which could have the remotest tendency to bring about the great calamity of a war between the two countries. My hon. Friend the Member for Bradford, in his eloquent speech, has called on the Government to answer two questions. He has asked us to state distinctly whether we cannot truly assure the House that our relations with the United States are, as they have been, perfectly friendly. I can, without reserve, give that assurance to the House. My hon. Friend has also asked whether there is not some correspondence, unknown to this House, varying the tenour of the demands made on this country for compensation on account of the destruction of American merchantmen. With equal pleasure and confidence I can assure my hon. Friend that the answer I have to give is the answer which he desires. There are no papers varying the tenour of the principle on which that question stands between the two Governments. The hon. Member for Horsham began his speech in a tone of which we can make no complaint. All I will say of it is that it contrasts most advantageously with the tone which has been taken by other persons on the same subject, and I sincerely trust that that tone will always be observed. I should feel deeply reprehensible if I allowed a single syllable to drop from me which would tend to exasperate any difference of opinion or to turn that which might be a matter of passing controversy into a serious subject of dispute. The right hon. Gentleman has alluded to the Reciprocity Treaty, and also to the termination of the agreement of 1817 with regard to the number of vessels on the Lakes, and he said he saw no evidence of hostility in the course pursued by the United States on either of these questions. I have the satisfaction of telling him, with regard to the number of vessels on the Lakes, that the noble Lord the Foreign Secretary has already communicated to the United States Minister his desire that another agreement might be substituted for the one which the Government of the United States have given us notice to terminate. With regard to the Reciprocity Treaty, when notice shall have been given by the United States, Her Majesty's Government will not lose a moment in endeavouring to renew the negotiations on a subject of such importance to both the United States and this country. The hon. Gentleman has referred in just terms to the cancelling by President Lincoln of the order issued by General Dix, and to the uniform courtesy manifested to this country by the United States Minister in London. I cordially agree with him in respect of what he has said of the high character and conduct of Mr. Adams, and I must say that in selecting their representatives in this country the Government of the United States have always paid us the compliment of choosing from among their most distinguished citizens. The hon. Gentleman, after speaking in this mode in the early part of his speech, then passed, with a rapid transition through which I was unable to follow him, to a consideration of the dangers which he sees in the future. He thinks that after the present civil war is over there is imminent danger of hostilities between the United States and this country. I do not believe that in using the expressions to which I refer the hon. Gentleman meant to give his sanction to the demands made by the United States; but I understood him to say of Canada that she had sent out no *Alabama*, and had not given cause of complaint, as we had done, but I wish, in using expressions of that kind, the right hon. Gentleman had been a little more careful. Whatever may be the hon. Gentleman's opinion on that point, I will admit with him that whatever may be the prospects —and I hope the prospect of relations between the United States and Great Britain is not one in which we are obliged to see hostilities—it is not on the justice or goodwill of any other country, nor on the forbearance of any other country, we are to calculate for our defence. It is on our own position, on our own inherent strength and means of defence that we must ever rely. The hon. Gentleman has a right to call on us to state what we have done and are doing with a view to the defence of Canada. He knows that for the last three years we have been impressing on Canada the necessity of making greater preparation as regards her defence. We are prepared to do our part in defending that colony; but we have always held that for her own defence a country must mainly rely upon the spirit, energy, and perseverance of her own people. The hon. Gentleman also knows that in England there were serious complaints that Canada had not shown herself disposed to take those measures for her own defence, with regard either to her militia or volunteers, which this country had reason to expect from her. In 1863 a new militia law passed, but the Vote which passed in Canada last year was an inconsiderable one. In consequence of that circumstance, a right hon. Gentleman opposite was so dissatisfied with the state of Canadian preparation that last Session he felt it his duty to come down to this House and call on Her Majesty's Government to concentrate all our forces at Quebec. We did not agree in that proposal, for reasons which appeared to us to be sufficient. It is now perfectly well known that when, in the autumn of last year, a proposal was made for the union of the British Provinces in North America, a totally different spirit began to be manifested, and the Canadians manifested the greatest desire to prepare for their own defence. Anxious to promote that desire, we sent out Colonel Jervois, who held a friendly communication with Canada, and drew up a Report on the Canadian defences, which now lies on the table of the House. The hon. Gentleman asks me what we are going to do with reference to this Report, and I shall answer all the questions he put to us as far as I think the hon. Gentleman is entitled to an answer. The Report laid on the table points to the fortifications of Montreal and Quebec, positions of the greatest importance for the defence of Canada. The defence of Quebec we engaged to undertake; the defence of Montreal we called on the colony to undertake. The armament of both we are willing to undertake, so that the division of expense will be about two-fifths to the mother country and three-fifths to the colony. The hon. Gentleman speaks as if he thought the whole question of defence was mainly, if not entirely, for the mother country. [Mr. SEYMOUR FITZGERALD intimated his dissent.] The hon. Gentleman did not say so in terms, but I drew that inference from his remarks. If, however, that is not his opinion, it only helps my case. If it is not, he agrees with me. We think that is a right division; that the position which is the gate of Canada, through which the military and naval forces of England are to enter to defend Canada, should be fortified by the mother country; and that Montreal, the strategic and commercial capital of Canada, should be fortified at the expense of the Canadians themselves. And now, in answer to the hon. Gentleman's first question—why did we not proceed sooner?—I reply that, as long as Canada made no exertions, and showed no readiness to prepare for her own defence, we felt it would be wrong in us to come to the House and ask for Imperial money to defend Canada; but the moment that spirit was shown which was manifested in the autumn of last year it became our duty to come and ask the House of Commons to enable us to give assistance to Canada. As to his second question—why are we only asking £50,000 for the present year?—the hon. Gentleman himself has relieved me of the largest part of my answer, because he admits that £50,000 is as much as can be advantageously spent during the present year in the preparation of the Canadian defences, and when the Estimate comes to be discussed, we shall satisfy the House that this sum is as large a one as it would be right and proper to ask for during the first year of the work. It has, I know, been represented that because we ask for only £50,000 the first year—the total amount of the Estimate being £200,000—we are going to keep the works in hand for a period of four years; but nobody would make that remark who is acquainted with the subject. In the first year you can make but a comparatively small progress with the actual works of such fortifications. Only the earthworks are raised in the first year, whereas in the second nearly the entire of the permanent works may be completed. The third question of the hon. Gentleman I have already answered. Then with respect to Kingston, the first step towards the defences of the Lakes is the providing of a place of safety for coaling and harbouring our vessels. We have called the attention of the Canadian Government to that necessity. We regard it as the business of the colony, and not of the Imperial Government, to furnish that fortification. With regard to the hon. Gentleman's sixth question, which is as to what we intend to do in future, I have to observe that I feel he is entitled to an account of what we have done and what we are doing, but I must respectfully refuse to furnish him with information as to what we intend to do with regard to the defence of Canada at some future day and in some future emergency. The first consideration in the defence of Canada is this, that war with Canada is war with England. The Imperial forces will be brought to the aid of Canada, and wherever it will be most effective in destroying the power of the enemy there the Imperial power will be exerted. The second consideration is the exertion made by her own people; the disposition of her own population to constitute a force, of which the regular troops furnished by the mother country may be the nucleus and centre. I have the satisfaction of stating that in Canada large bodies of officers are being trained to take the command of the militia in time of emergency; that the number of training places has been increased, and is still being augmented; and that other preparations are being made to bring a large number of militia into a state of active efficiency. This being the spirit in Canada, and the mother country acting in unison with this spirit, I think it may be said very confidently that fair and just preparations are being made for the defence of Canada against the attack of any enemy. That that enemy should be the United States of America I sincerely trust will never be the case. I cannot express the feelings of regret with which I should regard a controversy between the United States and the subjects of Her Majesty. I should look upon it as a fratricidal war—a calamity almost unequalled by anything that the world has ever seen, and I sincerely trust that, however we may debate amongst ourselves these questions of the defence of Canada and the mutual relations of our possessions with the mother country, we shall be careful to employ no language calculated to irritate temporary differences, or to exasperate into greater disputes questions which might pass away. Let us continue to believe that those feelings of the educated classes and the Government of the United States to which the hon. Gentleman alluded—those feelings which we know to be prevalent among the community in which we live are prevalent not only among the educated classes, but also among the general body of the community in the United States of North America.

MR. DISRAELI: Sir, I do not think that Her Majesty's Government, after placing the Report of Colonel Jervois upon the table, could have expected that the subject of the defence of Canada would be unnoticed by the House of Commons; and it could not have been brought forward to-night in a manner more distinguished for moderation, clearness, and accuracy than it has been by my hon. Friend. I am sorry that the hon. Gentleman opposite (Mr. W. E. Forster) should have considered that that statement favourably contrasted with another expression of opinion which he referred to as having been made in another place. I am myself totally at a loss—speaking, of course, from memory at the moment—to recall to recollection any expression of opinion in another place by the personage to whom he referred which at all justified the criticism of the hon. Gentleman. On that occasion, if I remember aright, recalling to the recollection of those whom he addressed the great irritation that occurred at the time of the affair of the *Trent*, now four years ago, it was naturally argued, "Why have you allowed four years to pass away without making those preparations which you now confess are necessary?" And, Sir, that appears to me to be an argument very difficult to meet. With regard to the opinions of that eminent statesman upon the general subject of American affairs, living as I do with him in perfect confidence, and having expressed in this House sentiments in reference to it, I can only say that in those sentiments he fully and completely shared. I am not myself conscious at this moment of ranking among those mortified and baffled prophets to whom the hon. Member (Mr. W. E. Forster) referred; and I can only say that I have expressed no opinion upon American affairs in this House which has not been entirely shared and concurred in by the Earl of Derby. Nor do I think that throughout these four years it is possible to produce any expression that has ever fallen from the lips of that eminent man which in any way could justify the observations of the hon. Gentleman. Sir, I am not here to-night to impugn—and I have never impugned—the conduct of the Government of the United States throughout this struggle. I am prepared to say now, with increased experience of their behaviour, it appears to me—as I stated two years ago—that under circumstances of unprecedented difficulty that Government has conducted itself with great energy and with great discretion. Nor, Sir, am I at all of opinion that we are in any immediate danger, in case the war between the Northern and Southern States terminates, of being placed in collision with the Government of the United States from our connection with Canada. Sir, I do not pretend now to express any opinion upon what may be the termination of the present contest; that appears to me to be perfectly unnecessary to the discussion of the subject which is before our consideration to-night. But assuming even the result to be such as the hon. Member for Bradford supposes, I do not myself conclude that the citizens of the United States of the North, if entirely and completely victorious, will feel inclined immediately to enter into another struggle with a Power not inferior in determination and resources to the Southern States of America. I have formed that opinion because it appears to me that the people of the United States are a sagacious people. I do not think they are insensible to the glory of dominion and extended empire; I give them full credit for being influenced by the passions which actuate mankind generally, and nations who enjoy a state of great freedom particularly; but being a sagacious people, I do not think they would seize the moment of exhaustion as the one most favourable to the prosecution of an enterprise requiring great resources and immense exertion. Sir, there are other reasons, too, which induce me to adopt that opinion. I have not been influenced in forming a judgment upon such grave matter by that sort of rowdy rhetoric which is expressed in public meetings and public journals, and from which I fear in this country is formed too rapidly our opinion of the character and possible conduct of the American people. I look upon such expressions as something like those strong, fantastic drinks that we hear of as such favourites on the other side of the Atlantic; and I should as soon suppose that this rowdy rhetoric is a symbol of the real character of the American people as that those potations are symbols of the aliment and nutrition of their bodies. Sir, there is also another reason which very much influences my opinion that these violent courses which are apprehended will not occur. The democracy of America must not be confounded with the democracies of old Europe. It is not the scum of turbulent cities, nor is it a mere section of an excited middle class speculating in shares and calling it progress. It is a territorial democracy, if I may use that epithet without offending hon. Gentlemen opposite. Aristotle, who has taught us most of the wise things we know, never said a wiser thing than that the cultivators of the soil are the class least inclined to sedition and to violent courses. Now, being a territorial democracy their character has been formed and influenced by the sort of property with which they are connected and the nature of the pursuits which they follow. There is a sense of responsibility arising from the reality of their position that very much influences their political conduct; and, at the present moment, I believe they are much more inclined to welcome the return of labourers to their fields, and, being a very domestic people, again to see assembled around their hearths, to which they have long been accustomed, the household in whose lot they are interested, than to indulge in schemes, plans, and dreams of invading the dependencies of Her Majesty. But, Sir, although these are my opinions generally upon this immediate point, I cannot conceal from myself the fact that very great changes have taken place in America which must affect the future; and I am inclined to believe that in this House those changes are not rated at sufficient importance. What has happened in America, whatever may be the consequence of the present struggle, does not appear to me to be less than a revolution. I would ask hon. Gentlemen to recall to their recollection what was the state of North America when we met in this House about four years ago. Why, North America was then divided among what I may call three great Powers. There were the United States of America, the colonies, settlements, and dependencies of our own Sovereign, and there was a country which certainly did not possess great political power, but which in extent of resources, fertility of soil, and mineral treasures is perhaps not equalled in the world—Mexico. Now, North America was divided under these three heads, and in reference to every one of these you will see vast changes have occurred. In the United States civil war has raged, and is still raging; and even if it terminate (I myself give no opinion as to its termination) as the hon. Member for Bradford anticipates, I cannot myself believe that you will see the same society and form of Government re-established — certainly not in spirit though you may in form—as existed before the civil war commenced; because we must remember this, that even if the Federal Government is triumphant it will now have to deal with a perplexing and discontented population. I will not dwell much upon the population that will then represent the Southern communities; but look to the slave population no longer slaves. There will be several millions of another race emancipated; legally in the full enjoyment of the rights of freemen, so far as the letter of the law is concerned, placed upon an equality with the Saxon race, with whom they can possibly have no sympathy. But whatever may be the letter of the law we know from experience that in practice there will be a difference —a marked difference—between those recently emancipated and, I will not call it the superior race, because I may offend some Gentlemen opposite, but a race which is certainly not identical. Well, nothing tends more to the discontent of a people than that they should be in possession of privileges and rights which really and practically they find are not recognized, and which they do not enjoy. These are elements of political discontent; and therefore if the United States be triumphant they will have to deal with what they had not before — great masses of discontented population. For such a condition of affairs you must have a strong Government. But what does a strong Government mean? It means a central Government; and the United States of late in their troubles and emergencies have had recourse to the centralizing principle. A Central Government must have an army at command for the purpose of maintaining that order and unity which it is their duty to uphold. Well, Sir, I think these are elements which will produce a very great difference in the condition of the United States, even if they come triumphant out of this struggle. What is the condition of the colonies, settlements, and dependencies of Her Majesty? Before this struggle, four years ago, there was very little common sympathy among them. The tie to this country was almost one of formality, and yet what has been the consequence of this great change in North America? There has already developed a formidable confederation, with the element of nationality strongly evinced in it. They have counted their population; they feel that they are numbered by millions; they are conscious that they have among the possessions of the Queen in North America a district of territory which in fertility and extent is equal to the unappropriated reserves of the United States. These are elements of power and prognostics of new influences which will very much change the character of that country. Nor is there any reason to suppose that they are less influenced by the ambition natural to free communities than the United States themselves. Perhaps they may foresee that they may become the Russia, I will say for example, of the New World. But what is the condition of Mexico? Before this civil war commenced Mexico was a republic, with a very weak Government. She is no longer a republic, but an empire, and she has become an empire by the interposition of two of the most powerful and ancient states of Europe—France and Germany. Well, Sir, when we see all these immense changes, it is impossible to deny that in North America a great revolution is occurring; and when these struggles are over, when peace again appears, and when tranquillity in all these departments may be again established, you will find communities governed by very different influences and aiming at very different objects from what they have hitherto avowed and recognized. Sir, I have often heard in this House statesmen, even distinguished statesmen, mumbling over what they call the balance of power in Europe. It appeared to me always to be a great mistake when we consider the distribution of power to confine our consideration to merely European elements; that the time must come, and speedily come, when we should find that other influences from other quarters of the globe would very much interfere with all those calculations, which now are become obsolete. Well, Sir, I think this war in America has rapidly precipitated the recognition of a new definition of the balance of power, not as a system of small and great States, leaving all the strongest positions in the hands of the weakest; but, on the contrary, that the proper meaning of the balance of power is security for communities in general against the predominance of one particular power. I think, when you have to consider the balance of power in future, you will have to take into consideration States and influences which cannot be counted among European Powers. Sir, it is impossible, notwithstanding what hon. Gentlemen may say with regard to the character of the United States, to conceal from ourselves that there is a feeling among those influential landowners to whom the hon. Member for Bradford has referred with reference to Europe which is of a peculiar nature. I will not say, for example, that the United States look to old Europe with feelings of jealousy and vindictiveness, because words of that kind should not unnecessarily be used with respect to the relations between nations; but it is certainly undeniable that the United States look to old Europe with a want of sympathy. They have no sympathy with countries which have been created and which are sustained by tradition. The only part of old Europe they do sympathize with is that part which is new, and that you will invariably observe in their course of conduct. If, then, I am at all justified in this view, it is quite clear that we must make up our minds to know what our relations really shall be with Her Majesty's dependencies on the other side of the Atlantic. We are on the eve, no doubt—I do not mean to-morrow, or next year; but taking those large views which become the House of Commons, we may be soon upon the eve of events in which our relations with our American dependencies must be clearly apprehended and acted upon by this country. Is this country prepared to renounce our American colonies or to maintain the tie? Sir, I am perfectly willing to admit that if, they express a wish to sever that connection; if those views were well founded which have often been mentioned in this House, that they prefer to be absorbed by the United States, as we heard years ago, then we may terminate that connection with dignity and without disaster; but if, on the other hand, those views which are now more generally accepted are just—if there be on the part of Canada and the other North American colonies a sincere and deep desire to form a considerable State, to develope their resources with the patronage and aid of England until that mature hour arrives when we may lose perhaps our dependencies but gain permanent allies — then, I say, it would be one of the greatest political blunders conceivable for us in any way to renounce, relinquish, or avoid the responsibility of upholding and maintaining their interests at the present moment. I am sure, Sir, if from any consideration of expense the position which we now occupy in North America were relinquished, it would ultimately be, as regards the resources of our wealth, as fatal and disastrous a step as a nation could take—that our abject prosperity would not long be a consolation for us, and that we should then indeed have to prepare perhaps for the invasion of our country and the subjugation of our people. I infer from what has been stated that hon. Gentlemen below the gangway do not themselves uphold those views which I regret have been expressed in other places, in other quarters; that they adopt what I hope is the sound and truly patriotic view of the subject; not to force our connection upon any dependency, but if at a moment like the present—a moment of revolution in North America—we find English colonies asserting the principle of their nationality, foreseeing, perhaps, a glorious future, but still depending till the moment of their entire emancipation arrives upon the faithful and affectionate assistance of the metropolis, it would be the most shortsighted, as it would be the most spiritless conduct in the eyes of the world to shrink from the duty which Providence has assigned to us to fulfil. Well, Sir, under these circumstances, what is the course we ought to adopt? I cannot doubt that the course we should pursue is to assist in placing our North American provinces in a state of proper defence. When we are told it is impossible to defend a frontier of 1,500 miles, I ask who has ever requested you to defend such a frontier? What we recommend and require is that Her Majesty's troops in Canada should not be placed in a position in which the utmost bravery and skill would be of no avail, but that they should defend the country according to the military conditions upon which all countries are defended. You do not defend hundreds of miles of frontier. Austria has an immense frontier, but Austria does not defend it all. She takes care that when she is invaded there shall be forts round which her troops can rally for her defence. That is all we wish to see. We wish to see Canada placed in such a condition that if defended by her own countrymen, assisted by Her Majesty's troops, they should at least have that fair play which troops have a right to count upon, and the advantage of those fortifications which, if devised with sufficient skill, double the strength of armies, and tend to the success of campaigns. That is what is required, and what I trust Her Majesty's Government have resolved to give. I confess that these four years need not have been lost. I do not think that from the first affairs in America have been considered of the importance to which they have attained, and which, indeed, I myself always felt they must attain. My complaint against the Government is that from the first they did not adequately estimate the affairs of America. I formed that opinion from the judgment expressed upon them by Her Majesty's Government during the last four important years. Their opinions formed upon the nature of the struggle in America, upon its possible consequences, and upon the general results which it would bring about, are for the most part inconsistent. One day we have been told by an eminent Member of the Government that the South might be said to have completed their independence, and very shortly after that a very great authority, lost now to this House (and whose loss no one more regrets than I do—Sir George Lewis), said he did not recognize that any single element of independence had been accomplished by the South. These two opinions perplexed the country. One day we were led to believe, by the highest authority of the Government, that there was on the part of the Government the utmost sympathy for those who were struggling on behalf of the Southern States; while, on the other hand, the Minister who had peculiarly to pass judgment on these matters, and whose official position gave weight to his opinions, expressed conclusions of a totally different character. I do not care to blame Her Majesty's Government for these inconsistencies of opinion in a position of extreme difficulty, and in a period of revolution; but what I regret is the consequence of these discordant opinions on their part, and that all this time the colonies of this country have not been prepared for defence as they should have been. After the loss of four years we are now about to commence an effort on a small scale, but this, after all, is a small matter, provided we now act on sound principles. If the Parliament of England has determined to maintain the colonies of Her Majesty, founded upon the unequivocal expression on their part that to that connection they cling with feelings and sentiments of a character which show that the national feeling is wholly unimpaired; if they show that the reports and rumours which have been circulated with regard to the feelings of the colonies are unfounded; that they are proud of their connection with this country; and that they are resolved to maintain it, until they rival us in our great career, and have become our allies and our friends, then I should not regret anything which has been done. It appears there are two consequences which have resulted from public opinion being of late agitated upon these topics—that we are conscious now of what our duty to the colonies is, and that we are prepared to fulfil that duty in a manner which will produce confidence, and strengthen and maintain the British empire.

MR. LOWE: Sir, I should like to take up this matter just where the right hon. Gentleman who has just spoken has set it down. I will not enter into any discussion as to the intentions or motives of the American Government, because it appears to me both dangerous and unnecessary. In the first place, it is dangerous, because in public, as in private life, nothing irritates more than such discussions and examinations, and psychological dissections of nations and men just as if they were mere natural curiosities. In the second place, it is unnecessary, because, whether the American Government have or have not any designs upon Canada, it is our duty to do what is needful. It seems to me perfectly plain that it is our duty in this extremity, whatever complaints we may have had against Canada—and I think we have had many—to consider any attack upon them as an attack upon ourselves. This is not an occasion for picking quarrels or examining too nicely whether the Canadians have always acted towards ourselves as they should have done. Now is the time to stand by them and to make it known that those who go to war with Canada go to war with us. But, having cleared up this preliminary matter, what I want to put to the House, and what it becomes us to consider, is what this country is bound to do for the defence of Canada. And upon that point I think we have had a difference of opinion. There is the hon. Member for Horsham (Mr. Seymour Fitzgerald), who goes all along the St. Lawrence for 800 miles up to Quebec, and says we are to keep large vessels of war in those waters. Then he leaps at once to the Rapids of the St. Lawrence; the waters above them to be defended—I know not exactly how, but I believe with other vessels of war of a smaller kind. My hon. Friend finally seems to think that it is the duty of this country to put, at the Imperial expense, the frontier of Canada in a complete state of defence, and to find all the maritime expenses that may be wanted, Then I take my right hon. Friend the Secretary of State, and he says, with great force and pithiness, that the real defence of Canada is that she belongs to England. But he does not stop there; he says that something must be done by Canada herself, and that what we do must be regulated by what may be done by her. It is my misfortune to differ from both. Let us look at the question on the supposition that we are actually at war. What does Colonel Jervois say will happen? He says if you have no fortifications besides those which exist, your troops will have to retreat to their ships, and they will be happy if they are not cut off before they reach them. Therefore, says Colonel Jervois, make fortifications along the frontier. But what is to happen if we have them? He says as soon as the Americans invade Canada you will be driven like sheep into the fortifications, and then the hope is that the country will rise around you. You will become a sort of nucleus—for that is the favourite expression on such occasions—and this nucleus will gather to itself a sort of vapoury mass — the Canadian militia — whose existence has been hitherto of that nebulous order, through which you can see a star of the sixteenth magnitude. But look at this thing from a common-sense point of view, and with reference to the force which the Americans would bring to bear against us. Do not look to the old analogies of 1812 and 1814. The Canadians then made an admirable defence, and the Americans had nothing to boast of as to the result of the engagements on land. But on the Lakes we met the Americans, and on Lake Champlain we got right well thrashed, and the figure we cut on Lake Ontario was not a very agreeable one. Well, fifty years have elapsed since then, and have things remained the same? Are we going to embark on the defence of Canada as if the principles which we deemed sound in 1813 and 1814 were still to be relied on, and as if railroads had not been laid down over the whole of American territory? Take the Lakes. If America was more than a match for us in 1813 and 1814 on the Lakes, what must she be now, when by means of the New York Central and Erie Railroads she can transport both men and means to the scene; when she can carry down gunboats, as many as she pleases; when to one man of ours she can oppose ten, and if ten will not do, twenty? Can anything be more idle, or more unworthy of a great nation than to think of carrying on war on such a principle as that? Could anything be more wild than an attempt to vie with America on her own ground? Canada has not a gunboat to put on the Lakes, while America has boundless facilities of outnumbering us in any proportion that she thinks proper. Are we really to squander the money of the people of this country in such a manner as that? Then let us turn to the land forces. I have no doubt that the eight thousand men we may have in Canada will fight. But what support have they from Canada? Colonel Jervois tells us that you have 21,700 Volunteers, some of whom he has seen, who have got through their exercise very well, and others besides whom he has not seen, but who, he doubts not, would do their duty equally well. And then there are 470,000 militiamen on paper, whom nobody has ever seen at all. But we are told they have no *matériel*, and that the fortifications would be utterly inadequate for their support or protection in case of war. And with what forces could America invade? Why, with any number that she thought proper—and these trained, disciplined, veteran troops, ten times the number that we could bring into the field. It would not be as it was with General Montgomery in the War of Independence, when he had to struggle through impenetrable woods in the depth of winter. America has railways now to transport to the frontier any number of men she pleases, so that under these circumstances the disparity of forces would be absolutely and entirely overwhelming. You will say, perhaps, that this is a good argument for building fortifications. But it is impossible for me to describe to the House what, probably, many have seen for themselves—the situation of the places that we are asked to fortify, and the difficulties which that situation creates. General Wolfe cannonaded Quebec from Point Levi, about three-quarters of a mile from the town, and was able to do this even with the artillery of that day. If Point Levi were seized now, it is certain that, with modern artillery, Quebec would lie absolutely at the mercy of the enemy. Then what are your means of preventing them from taking Quebec? You may, perhaps, build a fort on Point Levi, but how are you to hold it against such a force and such artillery as America can bring against it? Setting this aside, however, I have never seen a place which seems to be commanded from more points, and to be more entirely exposed, than Quebec is. The town is so built that you seem able to pitch a shell into every house in it, and it would be hard to find a better mark than the citadel itself. Mind, I do not grudge the money for these fortifications if they give any satisfaction to the Canadians. No doubt we can strengthen Quebec, because now it is not defendable in any way whatever. Indeed, I doubt whether it ever was defendable, because when Wolfe attacked it and gained the Heights of Abraham, Montcalm judged it prudent to march out into the open field instead of awaiting the assault behind his fortifications. I shall not object to fortifications if they are thought desirable. But it seems to me perfectly impossible that when our troops are once hunted into Quebec and Montreal—for that seems to be what it is thought will happen—they can ever escape again. Colonel Jervois, you must remember, assumes that you can only make war in Canada during the summer. But, in fact, in the rebellion the war was carried on in winter time, and General Montgomery, who besieged Quebec, made his way through Maine, where there were then no roads, in the depth of a severe winter. He assaulted Quebec at that time of year, and if an extraordinary casualty had not happened—if he, with seventeen of his staff, had not been killed by the discharge of a single cannon—he might have taken Quebec, and the destinies of Canada might have been entirely different from what they are to-day. What, then, is to guarantee your 8,000 troops against a similar catastrophe when the St. Lawrence is closed from November to May, and the besieging army have the means of passing across the natural bridge which the ice then makes for them? It seems to me that to coop up our men behind these fortifications will be like enclosing them in a net for the enemy to take them at their discretion; as Hannibal said at Cannæ, when the Roman Consul desired the cavalry to dismount and engage the enemy on foot, *Quam utinam vinctos mihi traderet*, "Had he not better deliver them to me bound hand and foot at once?" I cannot conceive why we should enter into arrangements which seem to imply that in time of war we are to keep these troops in Canada. There is another consideration which appears to me to be a most powerful one. When we once go to war with America—it may be about Canada—will Canada be the best place for us to carry on the war? In such a struggle we must consider not merely local but Imperial interests; we must wage war in the mode least likely to injure the forces of the Empire, and strike at points which are vital to the interest of our antagonist. If we allow the Americans to lead us, if we follow them to the points they may choose to attack—points, after all, only of local and subordinate interest — leaving un-guarded other places which are of Imperial importance, such a policy would end in certain failure and disaster. We should be like the unskilful boxer of whom Demosthenes spoke, and who put his hands to the parts where he felt the blows instead of striking at the vital parts of his adversary in return. If that be so, the defence of Canada sinks into a small matter indeed, because, considered from an Imperial point of view, the question is not what is the proper defence of Canada, as the sole point of probable attack, but what are the points at which America will be able to attack us with the greatest power, and at which we can best attack her in return? It may be that the most effectual way of defending Canada would be by abandoning her altogether, and concentrating our forces upon a place of such importance to the enemy as would compel them to cease attacking Canada, and run to the vital point at which they were themselves assailed. As far as military considerations go, therefore, my conclusion is that it would be unwise, and indeed impossible, for us to retain any force worth speaking of in Canada, in the event of so great and awful a struggle as that between this country and America—that we should want all our troops for the defence of these islands, or for other points more essential to us, and partaking more of the *arx imperii*, than Canada. Of course I do not profess to give any authoritative opinion on a military question; but I should think that Bermuda and Halifax were much more important than any points in Canada, not for the sake of the places themselves, but because the whole safety of our fleets in North American waters would depend on those two places. In the same way it would be necessary to defend certain points in the West India islands for the protection of our ships. I apprehend, therefore, that we should act very imprudently in case of war in keeping our men in Canada. But if it would not be prudent to keep our troops there in time of war, is it right or is it wise to keep them there in time of peace, thereby encouraging the Canadians to believe that they will have these troops if war should break out, though we know—at least those who take my view know—that the necessary result of the war which begins with the invasion of Canada must, if we are true to Imperial interests, be the speedy withdrawing of these troops? I say, that unless you are prepared to maintain that the same force should be kept in Canada in war as in peace, it is wrong to retain our troops there now, because we are thereby urging the Canadians on under false pretences. Better they should know the truth at once—know that they and not we are to fight the Americans; that, with our small army, we should, as we did in the Crimean campaign, soon feel the wear and tear to be so severe that we should be compelled to withdraw our troops from Canada for our own protection. There is another point of view which I think deserves consideration. I believe that if war does break out, nothing is so likely to cause it as the presence of British troops in Canada. There are those in America who look upon the presence of British troops in Canada as a standing menace. I believe that a sincere conviction prevailed among these persons that on the 4th of March, England was about to recognize Mr. Lincoln as only the President of the Northern States, thus recognizing the South by implication. There is nothing which these people do not suspect. Then there is the Monroe doctrine; and the presence of our troops in Canada seems to connect this country with it, and to excite ill-will against us. Another point of still greater importance should be borne in mind. In my opinion, nothing would be so strong an incentive in America to war with this country, as the notion that they could catch a small English army, and lead it in triumph. Never mind, if they were thirty to one, it would be all the same. The popularity which such a capture would confer upon the successful general or the president of the period would be irresistible. To humble us and exhibit an English army as captives and vanquished, would be to Americans a gratification which no words can express Sir, I grudge them that gratification, and therefore I say that we should act wisely in withdrawing these troops, which, while too weak to protect Canada, are quite numerous enough to give a powerful motive and incentive to war. That such a war may be averted must be the prayer of all us. It would be one of the greatest calamities that could befall either country—perhaps even the whole human race; and it is because I wish to destroy every excuse for war, and every incentive to war—because I am convinced the English troops in Canada, though powerless to defend, are numerous enough to provoke—that I say our wisest course, both in the interests of peace and for the purpose of carrying on a successful war, if war there must be, would be at once to withdraw our troops from Canada.

SIR JAMES FERGUSSON: The hon. Member for Bradford (Mr. W. E. Forster) had deprecated anything being said which might give umbrage to the people of the United States. That expression of feeling was joined in by hon. Members on that (the Opposition) side of the House. He gathered from the remarks of the hon. Member that he would regard any measure for the defence of Canada as something partaking of an affront to the United States. The right hon. Gentleman (Mr. Lowe) in his usually able and lucid manner, had now put forth the new doctrine that we should leave Canada absolutely undefended for fear of a disaster to our arms. Now, he ventured to think that if the House gave any encouragement to such notions, a painful chill would be cast on the warm sentiments of loyalty so recently expressed by the nascent British Confederation in North America. Such an expression would come but ill after the hearty approval given by the Government to the aspirations of these provinces; and what would be thought throughout the world, if we were to declare that in the event of danger to these colonies, through no fault of theirs, but owing merely to their connection with the mother country, they were to be left absolutely at the mercy of America? He ventured to think that the suggestion of leaving Canada to take care of itself, however ingenious, was not likely to find much favour in the House. The right hon. Gentleman endeavoured to throw ridicule upon the Report and recommendations of Colonel Jervois, and it had been asked by the right hon. Gentleman, what would be the use of shutting up our troops in fortifications, when the Americans, with their improved ordnance, would batter those fortifications to ruins, and capture the troops. But surely the right hon. Gentleman did not expect the House to suppose that the fortifications to be erected in Canada would be of obsolete form, exposing the troops within them to the mercy of the blockading and bombarding force. Those fortifications, of course, would be constructed in accordance with all the improved appliances known to modern warfare, and with a view to the purpose of all fortifications—that of enabling a small force to compete with a large one. Whether in systems of defence such as were established all over the Continent, or in those erected for the defence of valuable points at home, for which the noble Lord at the head of the Government was, in his opinion, entitled to so much credit, the intention was to keep the bombarding force at such a distance from the place thought necessary to be defended, as would prevent their artillery from reaching it. And of course those points in the vicinity of Quebec, which the right hon. Gentleman pointed out as commanding the town, would all be protected by suitable works to enable the troops to prevent the invaders from bombarding it. There was nothing in the remarks of his hon. Friend (Mr. Seymour Fitzgerald) to lead to the construction placed upon them by the right hon. Gentleman, that he sought to cover the Lakes with ships, and the river St. Lawrence with vessels of light draught. He had merely enforced the opinion expressed in Colonel Jervois's Report, that it was necessary to have a certain number of ships capable of assisting in the defence of the maritime towns on the Canadian frontier. It might be a question whether we could multiply ships out there with the same rapidity as the American Government, but it was evident, as he himself had pointed out at the outbreak of this American war, that the main defence of Canada must be conducted upon its Lakes and rivers. Surely England would not yield her right to protect by her navy her North American dependencies. The right hon. Gentleman (Mr. Lowe) and likewise — unintentionally he believed— the hon. Member for Bradford (Mr. W. E. Forster) had thrown cold water on the notion of providing for the defence of Canada, while there was yet time to do so. The right hon. Gentleman, in particular, seemed to apprehend that any such steps upon our part, would be like flinging a menace in the face of the Americans. But in a time of tumult, when the streets were filled with an armed force, and no one could tell to what excess the passions of the crowd might drive them, it was not considered any menace for a peaceable individual to put up his shutters. And when, unhappily, nations which had anything to apprehend perceived that affairs began to wear a threatening aspect the invariable practice was to place an army of observation on their frontier, and by unusual measures of precaution to guard against and possibly avert the impending danger. At the time when we admitted and proclaimed that the defence of Canada was bound up with our honour was it not as incumbent on us to take measures to prevent its being overrun by a *coup de main*, as it was to protect the shores of the British Channel from invasion? Unless those measures of precaution were taken which the interests and wealth of England demanded, how was it possible that our diplomacy could have force, or our commerce enjoy safety? Unless England were prepared to disarm and await with patience whatever humiliations the future might have in store, it was the duty of Parliament to guard against possible attacks on our North American possessions. The Government had placed before the House a scheme by which in the cheapest and most moderate manner the most vunerable points of Canada might be defended. The complaint of his hon. Friend (Mr. Seymour Fitzgerald), which he begged to second, was that the Government had done so little towards the accomplishment of what they themselves acknowledged to be necessary. What was an expenditure of £50,000 compared with the object to be gained? Did they think the danger to Canada would abstain from presenting itself till those fortifications had been completed at the rate of £50,000 a year? The day had gone by when the hon. Member for Birmingham (Mr. Bright) could uphold the American people as free from those disturbing causes that operated on other countries, and as models of all that was economic and peaceful. Their appreciation of money was as nothing compared with their love of making a demonstration. The proposal, therefore, to create permanent defences for Canada at the rate of £50,000 a year, seemed to fall little short of a mockery. If we were really determined to stand by our Canadian fellow-subjects, let us go forward in an earnest spirit and take energetic steps to have these works erected. We might then hope, not unreasonably, that measures more efficient than any yet taken would be adopted for drilling the Canadian militia; and in that event we might look forward to being able to take up such standing points as would give time for the arrival and concentration of British forces. At any rate, he hoped the country would never have to submit to the indelible disgrace of seeing troops in British uniform retreating before the enemy, unable to strike one blow for the national honour.

Mr. WHITE felt compelled by the remarks of the hon. Baronet the Member for Ayr (Sir James Fergusson) and his hon. Friend the Member for Horsham (Mr. Fitzgerald), to ask those Gentlemen what they proposed to do for the defence of Canada? and whether they were prepared to sanction an amount of expenditure which would soon double the National Debt, obliging them meanwhile to forego all hope of the reduction of the malt duty, and sending up the income tax immediately to 1*s*. in the pound? Every one acquainted with the geographical position of Canada, and the extent of frontier to be defended, would know that these things must be looked plainly in the face, if England undertook to hold that country against a hostile attempt on the part of the Americans. The right hon. Gentleman the Member for Calne (Mr. Lowe) represented the opinion of every one whose opinion was worth having, when he spoke of the utter impossibility of then holding Canada without an expenditure of money and blood on the part of Great Britain which was fearful to contemplate. As to the alarm created by the recent conference between the Northern and Confederate Commissioners, and the correspondence between Mr. Seward and Mr. Adams, it would be sufficient to state that the proposal for joint action on the part of the present belligerents had reference to a suggestion that the French should be expelled from Mexico. Any one conversant with the tone of American politics would know that this was the most tempting bait which the Confederates, as they thought, could offer to the North. The right hon. Member for Calne (Mr. Lowe) had mentioned the Monroe doctrine; he much wished he had explained its nature to the House. Everybody acquainted with English and American history knew that the doctrine in question was essentially of British origin, and had been suggested by Mr. Canning. France, having in 1823 put down the constitutional regime which prevailed in Spain, entertained the notion of indemnifying herself for the expenses incurred in so doing, by acquiring portions of the old Spanish colonies in South America; and England, naturally indignant at a scheme so detrimental to her interests, and with the aversion which Mr. Canning had ever shown from the principles of the Holy Alliance, induced President Monroe to enunciate the doctrine which had since been so famous. Lest an American authority upon this point might be received with some mistrust, he had referred to a work which was in the library of almost every gentleman, and from the last edition of the *Encyclopædia Britannica* took the following extract:—

> "James Monroe succeeded Madison in the Presidency, and retained it eight years (1817 to 1825). Towards the close of his administration (1823), in compliance with the suggestion of his Secretary of State, John Quincy Adams, he introduced into his Message to Congress—adverting to the purpose of the European allies of Spain to assist her in subduing her revolted colonies in Central and South America—the assertion of 'a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent position which they have assumed and maintained, are henceforth not to be considered as subjects for future colonization by any European Power. . . . With the existing colonies or dependencies of any European Power,' continues the Message, 'we have not interfered, and shall not interfere. But with the Governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny by any European Power, in any other light than as the manifestation of an unfriendly disposition towards the United States.'"

Congress took no action upon this, but the spirit of that body and of the nation was in favour of the Monroe doctrine. Lord Brougham, in referring to the President's declaration, stated that it had diffused joy over all free men in Europe; and Sir J. Mackintosh spoke of it in the following terms:—

> "This wise Government, in grave, but determined language, and with that reasonable but deliberate tone which becomes true courage, proclaims the principles of her policy, and makes known the cases in which the care of her own safety will compel her to take up arms for the defence of other States. I have already observed its coincidence with the declarations of England, which indeed is perfect, if allowance be made for the deeper or at least more immediate interest in the independence of South America which near neighbourhood gives to the United States. This coincidence of the two great English commonwealths—for so I delight to call them, and heartily pray that they may be for ever united in the cause of justice and liberty—cannot be contemplated without the utmost pleasure by every enlightened citizen of the earth."

He trusted that the citation of such high authorities would dissipate the apprehensions which some seemed to entertain of the operation of the Monroe doctrine. With respect to Canada, England had not such vast interests in connection with that country as with the United States. By the latest Returns of the Board of Trade he found that the total value of the British exports to the United States last year was £16,704,000, exceeding by £5,000,000 the exports to Australia, and being twice as much as the exports to France, while the 150,000,000 of the Queen's subjects in India took only £3,000,000 more. The trade which this country carried on with Canada and the whole of British North America did not amount in magnitude to one-third of the British trade with the United States, under the influence of a high tariff and during the agonies of war. He might mention that the vast immigration pouring into the United States would really, in case of a conflict between England and America, impart to the struggle almost the character of a civil war. During the last seven years 3,152,794 foreigners arrived in the port of New York, and of that number 1,816,566 were natives of England, Scotland, Ireland, and Wales. He considered that the tone and temper evinced by the hon. Member for Horsham (Mr. Fitzgerald) was quite satisfactory, as contrasted with the tone and temper evinced in a speech delivered in another place by a noble Lord, who, they were taught to believe, was the hon. Member's leader. The only consolation he derived from the speech delivered elsewhere was that the noble Lord did not regard his return to power as very probable, or he would not have ventured on such inflammatory language as would cause his advent to office to be regarded by the Americans as a declaration of war.

MR. CHICHESTER FORTESCUE said, it was of importance in discussions of this kind that there should be an agreement as to the object in view. Now it was evident that the great majority of the House did not agree with the views expressed by the hon. Member for Brighton (Mr. White). He understood the hon. Member to argue that the retention of British North America depended on a calculation of figures and on a question of profit and loss. Her Majesty's Government, on the other hand, and the great majority of that House, regarded the retention of those colonies as a matter of duty which a great country like this was bound to perform, provided only that those colonies were willing to remain dependent on the Crown of England, and to play a manly part in their own defence. Knowing, then, by more satisfactory evidence than had been obtained for many years, that the colonies of British North America desired to remain attached to the Crown of Great Britain, and to form a portion of the realm, and that they were willing and able to exert themselves in their own defence, and in maintenance of the connection with this country, Her Majesty's Government deemed it their duty to make proposals to the House to enable them to perform their part in maintaining that connection. Therefore, with respect to the end in view they did not agree with the hon. Member for Brighton, though they did agree with the great majority of the House. The right hon. Member for Calne (Mr. Lowe) expressed, as he understood, in his remarkable speech agreement with the Government and the majority of the House as to the end in view, and only differed as to the means. The right hon. Gentleman objected to the policy which gave a certain number of British troops to the Canadians in order to assist and encourage them in their defence. He did not understand the right hon. Gentleman to object to the proposed fortifications. The right hon. Gentleman justly reminded the House of the immense changes which had taken place since the last struggle between Great Britain and the United States, and of the enormous disproportion between the power and resources of Canada and those of the United States. Well, the proper conclusion to be drawn from those facts was that fortifications were more than ever necessary to the Canadians in the present day; because it was evident that they would aid them in gaining time for mustering their forces or serve as a protection while waiting for reinforcements. What his right hon. Friend really objected to was the presence of a single British soldier in British North America. Now, they all knew that the logic of his right hon. Friend ran a straight course of the most unbending and merciless kind; but such logic was apt to leave facts, and important facts, which were evident perhaps even to inferior minds, to the left and right of its path. There were some points in the argument which he had totally overlooked. His right hon. Friend said they were to withdraw every British soldier from Canada for three reasons—first, because their presence was deceptive towards the Canadian people, and tended to flatter them with hopes of a support which we should not be able or willing to give; secondly, because their presence would be useless; and thirdly, because it would offer a temptation to the United States to attack Canada. To what did these three reasons come? As to their deceiving the people of Canada, if by keeping their troops there they were incurring a new, an improper, and an excessive responsibility, he should be inclined to agree with his right hon. Friend. But could anybody say that what they did in this matter would affect their general responsibility for the defence of Canada if, unfortunately, a state of things arose in which we should be bound to help to fight her battle? Then, with regard to the presence of these troops being useless, he need only ask any hon. Gentleman to look at the expressions of opinion on that subject which had ever been received from Canada down to the present moment, and see whether the Canadians considered the presence even of a very moderate body of British soldiers to be useless. On the contrary, they had the authority of the Canadians themselves, who were the best judges of their own interest in that matter, and the authority also of their own officer, Colonel Jervois, in his Report that, the presence even of a moderate body of British soldiers would be of the greatest possible importance as a nucleus—the term was a sensible and appropriate one—for the purpose of encouraging and training the more irregular troops of a country like Canada. So far from agreeing with the right hon. Member for Calne, Colonel Jervois recommended these fortifications for the very reason that in case of extremities—and in all these cases, however much they might deprecate that result, it was quite impossible to suppose they could send troops to Canada or anywhere else without running some risk of disaster—their regular force would be comparatively safe, and would become a nucleus round which the people would rally to repel aggression and preserve that connection with the mother country which their loyalty, their interests, and their love of freedom alike made them desirous to maintain. There could be no doubt that for the purpose of kindling the military spirit of a country like Canada, of setting an example and giving instruction to the comparatively irregular levies which formed the armies of the New World — those of the United States, he might say, as well as that of Canada—the presence of a moderate body of our regular soldiers, the finest perhaps in the whole world, would be of essential service. At the present moment a most valuable process of training was going on among the Canadian militia, which without the presence of these British troops would be quite impossible. Schools of military instruction at Quebec and Toronto had been in operation for several months, and others were about to be formed elsewhere, assisted by the officers of British regiments; and every week they were turning out young Canadian officers fit to take the command of the militia of their various districts. Indeed, he had not the least doubt that in a space of time which, perhaps, few Gentlemen in that House would believe, on any serious alarm of danger the Canadian militia would be turned into a force capable of giving a good account of any troops that were likely to be brought against them on the American Continent. The right hon. Gentleman said, in the third place, that the presence of our regular troops would be nothing but a temptation to the Americans to make war in Canada for the sake of the honour and glory to be acquired by their defeat or capture. But was there no temptation on the other side of the account, supposing the right hon. Gentleman's advice to be taken and every red coat withdrawn from British North America? Were that advice followed to-morrow, would it be possible under those circumstances to convince the people either of Canada or of the United States that we were in earnest in our professed determination to defend the Canadians as long as they wished to remain part of our Empire? It stood to reason that such a policy on the part of this country would be such a declaration of indifference as no fair words used in that House or elsewhere could outweigh; and that it would have its due effect on the minds both of the Americans and the Canadians it was impossible to doubt. On these grounds it seemed to him that, however logical his right hon. Friend's arguments might appear, it would not be wise for this country to act upon his views. He was glad to think that the House, on the whole, agreed with the Government in the moderate and reasonable measures of defence which they had decided to take for the purpose of meeting the exertions of the Canadian people. He heartily concurred with many of those who had spoken that night in deprecating exaggerated alarm on the subject of the immediate invasion of Canada by the United States on the conclusion of the civil war. He thought that debate would prove useful if it tended to dissipate panic and check a state of feeling which seemed to be gaining ground in the country. And he would add that it appeared to him that the success of the Federal Power in reducing the South, if it were a success, was likely in itself, if there should be any danger of aggression from that quarter, to make that danger far less. The North, even if successful, would, he thought, still have enough on its hands in controlling and governing its new subjects as they must be called. And, more than that—their National pride would be naturally so well satisfied, the sources of disappointment, irritation, and passion so far removed, that if under any circumstances there were danger of any such insane conduct—an amount of folly and wickedness in which really one could hardly bring one's mind to believe—as that of a great country turning without cause, and to its own great loss, upon its neighbours, he believed that the success of the Northern cause would make that danger much less. Anyhow, Her Majesty's Government felt that they had done their duty in seizing the occasion when it arose of meeting the loyal and manly wishes of the Canadian people to provide for their own defence; and with that view they recommended their proposition to the House.

Sir FREDERIC SMITH said, the House and the country must feel special obligations to the hon. Member for Horsham (Mr. Seymour Fitzgerald) for originating this debate. It would tend to dissipate the doubts of many in this country, and would reassure the loyal Canadians who desired to maintain their connection with England. From the speech of the right hon. Gentleman the Secretary of State for the Colonies (Mr. Cardwell) it would appear that the Government had come to the determination to stand by Canada if the necessity arose. He (Sir Frederic Smith) would be glad to know whether there was to be any, and what, limit to the assistance which we were prepared to afford her. It was the intention of the Government to fortify or strengthen the fortifications of Quebec, but to leave to the Canadians the defence of Montreal, Toronto, Kingston, and Richmond; but for these places we were to provide the armaments and ammunition. Before one penny was voted for the defences of Canada, they ought to know what was to be the cost to the taxpayers of England, of fortresses, armaments, ammunition, and of the British force which would aid the Canadians. Colonel Jervois said nothing of the force that would be necessary for the protection of the colony. He stated, indeed, in his Report, that there were 28,000 effective militia, and 400,000 which might be available. These 400,000 must, he apprehended, be at this moment perfectly untrained men, while the 28,000 were but indifferently trained. Colonel Jervois said he saw some of them at drill, and that they went through a field-day with tolerable precision. Were we then, he would ask, blindly to enter upon the defence of Canada, with only such a programme as that which Colonel Jervois had furnished? Of the ability of that gallant officer he had a high opinion; but it should be borne in mind that the question at issue involved the protection of a large province, and he should, under these circumstances, have supposed that the Government would, before taking any decided step in so grave a matter, have instructed Colonel Jervois to make a Report to Sir Fenwick Williams, the Commander-in-Chief in Canada, that he would have sent home that Report with his opinion upon it, and that then it would have been submitted by His Royal Highness the Commander-in-Chief to the consideration of those most experienced officers Sir John Burgoyne and the Quartermaster General, who knew Canada well, and to other officers who had commanded armies and seen service on a large scale. The Report, though well drawn up, gave no definite idea with respect to the number of troops which would be required in Canada, or their cost, or what must be abstracted from the force at home, perhaps at a time when they might want them. The Government were to provide Canada with arms and ammunition; they were told a few evenings ago, that the larger guns would cost £4,000, each and the ammunition must be very costly. The Estimate of £100,000 must totally inadequate for providing the arms and ammunition. But in the course of the discussion on the Army Estimates, he should call upon the noble Lord the Under Secretary for War to state what the supply to Canada was likely to cost. A sum of £50,000 was to be expended this year, and £150,000 next year.

Mr. CARDWELL explained that he did not say that £150,000 would be spent next year, but that the works would be almost completed next year, and that the larger part of the expenditure would take place in that period.

Sir FREDERIC SMITH understood the Estimate to be £200,000—£50,000 this year, and £150,000 next year; but in his opinion it ought, if possible, to be finished in the course of this year. There might, if they were fortifying Montreal at the same time, be some difficulty in finding labour; but there were hon. Gentlemen in this House who would undertake to send out sufficient men to complete the works in eighteen months at the furthest from this time. The Government ought either to give up the idea of defending Canada—which he did not recommend—or they ought to put their shoulder to the wheel and proceed with the works at once and as rapidly as possible. At the very least Montreal and Quebec ought to be put on a respectable footing, and he did not think that £200,000 would do more than complete the works that were needed at Quebec. The House had not the most distant idea of what the nature of the works was to be, or what it could take to complete them in a solid form. This £50,000 was to be expended chiefly in earthworks—

Mr. CARDWELL: I said the preparations for permanent works would of themselves constitute a temporary defence.

Sir FREDERIC SMITH differed from that idea, unless it was by throwing up earthworks; and if that were so, he was right in saying that £50,000 was to be expended chiefly on earthworks. But what was wanted was a determined resolution as to the line they meant to take. If they meant to abandon the Canadas, let them say so and do so. But the right hon. Gentleman (Mr. Cardwell) said they intended to take the opposite course. He (Sir Frederic Smith) applauded that. He thought they were bound in honour to defend the Canadas, and that it would be degrading to England not to do so. But while he said that, he also said, "Let us have an Estimate in full of the costs we are to incur." Members of this House and the country would then know what they were about to do. There was no reason why the armament should not commence at once. The Government ought to take money for that purpose in the present year, but he did not find anything of the sort in the Estimates. If they were going to take ten years about it, he should like to know what chance the Canadas had of new ordnance in time to be of use. It was said that all they had now were of the very oldest construction, and a few rounds would blow every gun-carriage to pieces. Again, he should like to have some idea of the force they expected to have in the field; because if the Americans did go to war, they would do so in right earnest, and their forces of all kinds would doubtless be sent into the field in overwhelming numbers. He did not see how the best infantry force we could send into the field, backed merely by volunteers and militia, however gallant and well-trained, would be of much use without cavalry and artillery. Battles were not won by infantry alone. There must be cavalry and artillery in proper proportions. Then it was said that in case of defeat the troops could withdraw into the fortresses; but did that mean that the Canadians were to be abandoned and left outside to fight, or flee, or yield, as they found best? These works were, however, indispensably necessary, in order that if severely worsted we might have the means of embarking our troops. They had been told by the right hon. Gentleman opposite (Mr. Lowe) that our troops would have to retire disgraced and defeated. He regretted ever to have heard such language in respect to the British army in that House. Defeat might be, but disgrace never. Again, there was nothing in the Estimates with respect to the defence of the Lakes, and he believed at this moment the Americans were taking active steps to establish a superiority there. He was willing to vote any amount of money for the defence of Canada; but not to have it dribbled over year after year in the style in which so much of the public business of this country was done. Then communications were necessary, and they required time, but nothing was done in respect to them. In fact, the Government had either gone too far or not far enough. Let them boldly ask for what sum was required, and let the House of Commons decide at once what it would do. They had heard to-night that the war with the South would soon be brought to a close; but, in his opinion, if their great armies were defeated, they would still keep the field for a long time, and that the armies of the North would, even if successful, be required in the South for some years to consolidate their dominion over the people they had conquered. He considered that war with the United States was a bugbear, as the Americans knew well that a war with England would be a most serious matter. Although the Canadians had not in their commercial relations shown themselves very worthy of our exertions in their favour, the honour of England was, nevertheless, engaged for their defence.

MR. WATKIN said, that having, like the right hon. Gentleman the Member for Calne (Mr. Lowe), visited Canada not once but frequently, he felt unable to corroborate the description given of Quebec; nor could he agree as to what had been said of other places. The fortifications of Quebec were not those of the days of Wolfe; they had been systematically enlarged and strengthened. Quebec, naturally a position of enormous strength, was now most efficiently fortified, and so far from the nature of the surrounding country exposing it to attack, that country presented features enabling the speedy and easy construction of additional works rendering the fortress impregnable. In fact, it might easily be made the strongest work upon the continent. Nor was it fair to say, as the gallant Member opposite had declared, that the guns were all antiquated and the gun-carriages rotten. It was true that many of the guns were old, but newer ordnance had been supplied; there were abundant stores of shot, shell, and rockets, and a considerable number of Armstrong guns had been received at the citadel very recently. Canada could be made capable of defence, without difficulty, though, of course, not without cost. No one would contend that the defence of Canada, if an Imperial duty, was simply an Imperial liability. Every one would admit that the colony should contribute, both in time of peace and of war, its fair share of the burden. Independence and defence were co-existent ideas, and Canada, desiring to be free of foreign control, should, and he hoped would, be ready to defray her just and honest share of the burden. He took this as admitted on all hands and on both sides of the Atlantic. His objection, then, to the proposal of the Government was that it was not worthy of that emergency which alone could justify the policy of the fortification of a frontier. But the question really before the House was not one of the extent of territory to defend, but plainly this — was this House, was the country ready to abandon—to alienate for ever from the British Crown, the vast expanse of territory lying between the Atlantic and Pacific Oceans? There was no half-way house between "cutting the painter," as one or two hon. Gentlemen near him now and then suggested, in conversation only, as regarded Canada, and severing all connection, now and for ever, with Prince Edward's Island, Newfoundland, Nova Scotia, and New Brunswick, on the east; British Columbia, one of the most thriving and hopeful of the British possessions, on the west; and that vast intermediate country known as the "Hudson's Bay territory" — which they were told contained within itself fertile land enough to sustain 50,000,000 of people. Hon. Gentlemen near him should remember their geography a little, and they would cease to speak of Canada as more than a section of that northern continent over which the Queen of Great Britain ruled, and which comprised an area larger than that of the Federal and Confederate States put together. Now what was that great property? He could not describe it better than in the language of the United States. If the House would refer to the Report on the Reciprocity Treaty laid before the House of Representatives at Washington in 1862 by Mr. Ward, they would find a glowing description of the vast extent, the wonderful means of internal navigation, the richness of mineral resources, the bracing healthiness of climate, and the immense extent of fertile soil which British North America contained. The Report said—

> "The great and practical value of the British North American provinces and possessions is seldom appreciated. Stretching from the Atlantic to the Pacific Ocean, they contain an area of at least 3,478,380 square miles—more than is owned by the United States and not much less than the whole of Europe, with its family of nations."

And, again, it said—

> "The climate and soil of these provinces and possessions, seemingly less indulgent than those of tropical regions, are precisely those by which the skill, energy, and virtues of the human race are best developed. Nature there demands thought and labour from man as conditions of his existence, and yields abundant rewards to a wise industry."

Indeed, the warmth of language used irresistibly suggested the idea that the people of the United States, with whom the love of territory was a passion, were disposed to cast a covetous eye upon these possessions of old England. Now, knowing something of America, he must express his belief that there was no very imminent danger of war with the United States. The issues of peace and war, however, depended upon the attitude of that House and of the country. Weakness never promoted peace, and an uncertain and half-hearted attitude was provocative of war. This country had, he believed, the desire to preserve its power and influence on the American continent. It was for the good of mankind that the rule of the British Crown and the influence of the wisely-regulated liberty of Britain and of the British Constitution should continue. The way to prevent war was not to talk of severing the connection with Canada or of withdrawing our troops from Canada for fear they should be caught in a net, but to announce boldly but calmly, in language worthy of the traditions of that House, that these vast American possessions are integral parts of the great British Empire, and come weal come woe, would be defended to the last. If that language were held there would be no war in America. The only danger arose from impressions produced by speeches in that House and elsewhere, leading to the belief that we were indifferent to our duties or our interests on the American continent; for we had duties as well as interests. Those who thus spoke — humanitarians by profession —could support the continuance of a war which, in his humble opinion, disgraced the civilization of our time; and, while professing to be Liberals, they were ready to thrust out from our Imperial home of liberty the populations of some of our most important possessions to satisfy some imaginary economical theory of saving. They spoke of the Empire as if it were this mere island, and they seemed enchanted with the idea of narrowing our boundaries everywhere. That was not a question of simple arithmetic, it was a question of empire; not a question of a single Budget, but a question of the future destiny of our race. These Gentlemen seemed to prefer to live in a small country. For his part, he hoped he should all his life live in a great one. No country could be stationary without becoming stagnant, or restrict its natural progress without inviting its decay. It was so in all human affairs; it was so even in ordinary business. Every man of business knew that if his enterprize ceased to grow bigger, it soon began to dwindle down; and so a country must grow greater or else must slide away to weakness, until at last it would be despised. Now the Government proposed to spend £50,000 at Quebec; £50,000, he repeated, was really nothing if it were necessary to carry out the fortification policy at all. He had two objections to make. One was that Quebec was not the vulnerable point; that point was Montreal. Montreal was the key to Canada. Once holding that key, the enemy would cut Canada in two—would separate Upper and Lower Canada from each other. Yet the Government proposed to leave all that to the unaided resources of Canada—to do nothing, in fact, where, if action were necessary at all, that action was pressing and imperative. He should deplore to see this country commencing and carrying on a competition of expenditure on fortifications with the United States. The results must be, as he warned the House, excessive Votes of money, of which this one was only the small beginning, and an entire change in the nature of those relations which had so happily subsisted between the United States and the British North American possessions. Let the House remember the case of France. England and France had for years been running a race of competition of this kind. If France raised a new regiment, or added a new ship of war, or built an iron-clad, or erected a fortress, we must do the same. And thus it had been that the forces still remained on a measure of some sort of equality, notwithstanding a vast outlay, which had crippled the resources of both countries, and here at home had delayed fiscal reform and retarded, nay, even prevented the most obvious measures for the elevation and education of our people. Were we to play the same game over again with the States? Now as regards the great Lakes and water ways of America, possessing a coast line of above 3,000 miles, we had since 1817 neutralized these waters as regards armaments. Under that truly blessed arrangement, the sound of a hostile shot, or even of a shot fired for practice, had never been heard now for nearly half a century. Here was a precedent of happy history and worthy of all gratitude and of all imitation. Now, if they were to fortify, let it be done adequately whatever the cost. That cost would, he repeated, be great and also uncertain. Now he would venture to make a suggestion to the Government. It was to try negotiation. Place before the minds of American statesmen the neutralization of the Lakes and ask if the frontiers could not be neutralized also. Was it not possible that if Her Majesty's Government took Brother Jonathan in a quiet mood, he might be disposed to save his own pocket and thereby to save ours, and unite with us to set a bright example to surrounding nations? The people of the United States had their faults and we had ours; but they were distinguished by their common sense. No people had more of it. This suggestion would, he thought, come home to it; for they would argue if we lay out millions, so will the British, and, after all, it is merely adding burdens to both and not really strength or dignity to either. Let the Government try. If they failed the trial would have shown them to be just and in the right. If they succeeded how happy would it be for us. Reference had been made by the right hon. Gentlemen to the fortifications at New York, Boston, and Portland; but no one had mentioned a very strong work within forty miles of Montreal itself. He had seen that work. It was called "Fort Montgomery," and there was a railway all the way from it to Montreal. It was now very strong. He believed it had embrasures for some 200 guns. All the time this war had been going on, this work had been going on also. Now this looked like menace. Our Government had been informed about it, but he failed to find that they had made any representation to Washington. Surely they might have said, and would have been justified in saying to a friendly nation—"If you must have 200 guns forty miles from Montreal, we must have 250 at Montreal; and whatever you do, we must imitate — therefore, why should either of us lay out our money?" But Government had done nothing; and now, before attempting any negotiation, they asked the House to agree to make fortifications. He had humbly offered a suggestion to the Government. Let them take one of two decided courses. Let them deal firmly and wisely with the question. Let them state, in no spirit of offence, to the United States that, as Canada was part of the British Empire, we would defend it at all cost; or let them endeavour to induce the Government of Washington to distinguish itself for ever by adopting the alternative — the neutralization of the Lakes and the avoidance of hostile fortifications on both sides of the frontier.

SIR MINTO FARQUHAR said, he thought they had all reason to be thankful to his hon. Friend the Member for Horsham (Mr. S. Fitzgerald) for having brought this subject under their consideration. No thoughtful man could have any doubt as to the great importance of the question. His hon. Friend had moreover brought it forward in a most moderate and temperate speech. He would follow the example of his hon. Friend, and avoid entering into the question between the Confederates and the United States. What they had now to consider was the relations between this country and Canada. He must say he had read the letter of Colonel Jervois in *The Times*—for he had not then seen it as a Parliamentary paper —with surprise. When he put a question regarding it privately to the right hon. Gentleman opposite (Mr. Cardwell), the answer he received was that the contents of the Report were perfectly well known in New York. But, having a good many friends connected with Canada, he could state that they too were exceedingly surprised at the publication of the Report, because it placed before the whole world the difficulties of defending Canada. He was ready to admit that at the commencement of the American civil war the people of Canada had not been disposed to look with any apprehension at the nature of their relations with their neighbours of the United States; they thought that as long as the contest between the Confederates and Federals lasted there was no need for their coming forward, but they were now aware of the nature of their position, and they had evinced their determination to prepare for any exigency that might arise. Lord Monck, who had borne himself in a most admirable manner, had called the different provinces together to consider what line of conduct they should adopt, and the news which had arrived to-day showed that the Confederation resolutions had been adopted in the Legislative Council by a majority of forty-five to fifteen. The course which England would take depended on the line adopted by the Canadians themselves, and now they had shown that they wished by every means in their power to keep up the connection; this great country could not refuse to assist them without shocking every sense of propriety and every feeling of honour. He had heard it said that this country had really no great interest in Canada. But he believed that the reading a few statistics would afford an ample refutation of that notion. What were some of the investments in Canada? In railways the Grand Trunk represented a capital of £16,747,000; the Great Western of Canada, £5,262,589; the Northern of Canada, £1,296,000; the Buffalo and Lake Huron, £1,477,860; the Welland, £345,667—in all, £25,129,116. Adding banks, trust companies, and Canada land companies, the sum would be about £27,843,000. The public debt of Canada was nearly £16,000,000. In all, about £43,843,000 in which this country was more or less interested. He begged on this subject to quote an extract from the report of the British North American Association—

> "Of the whole British Colonial Empire, British North America occupies a prominent place. It contains 4,000,000 square miles, and occupies one-third of the American Continent. It is larger than all Europe or the Federal and Confederate States together. Its population is about 4,000,000. The tonnage of its shipping enables it to rank seventh among the nations of the earth, and in the last decade its trade has more than quadrupled. Its exports and imports reach £27,000,000 a year, and the agricultural produce amounts to not less than £30,000,000 per annum. Its total revenues during the past year of 1864 are estimated at £3,000,000, and the expenses at £2,700,000. Its greatest length from the Atlantic frontier of Nova Scotia to the Pacific Ocean at Vancouver's Island is 3,000 miles, and its greatest breadth 1,600 miles."

The Canadians were ready to do everything they ought to do, and they would derive from the speeches made to-night the greatest satisfaction—from none more than from the short statement of the right hon. Gentleman (Mr. Cardwell), summing up, in a few important words, that war with Canada was war with England. But the right hon. Gentleman had at the same time deprecated all irritating discussions, just as his right hon. Friend below (Mr. Disraeli) had done, and his hon. Friend who had brought forward this Motion. Still, danger was at hand, and it was the duty of a great nation to be prepared for it. He believed the Reciprocity Treaty to be of undoubted use to Canada as well as to this country, and would refer to Reports which confirmed his views, and which advised the American Government not to act hastily in this matter, but rather to call a meeting to see if the treaty could not be maintained, and thereby nullify to a great extent that feeling of hostility which had arisen. He was glad that debate had taken place, as it would show the American Government that that House was prepared to look with moderation upon all that had been said, however irritating the expressions made use of might have been towards this country, and to make allowance for the irritations which the Americans felt amidst the difficulties and losses of the great crisis through which they had of late years been passing. The Canadians wished this country to state distinctly what it intended to do. Canada was proud to be connected with the old country, and so long as England did her part by the Canadians they would stand by her to the last breath.

LORD ELCHO said, they had had of late years many important questions discussed in that House—Crimean and other wars; but that which involved the question of war between this country and America put all other subjects into the shade. He believed he need hardly say how thoroughly he agreed with every word that had been spoken in that debate as to the necessity of avoiding all allusion which could create unnecessary irritation between this country and the United States of America. He was glad to find that the hon. Gentleman who introduced the subject had set an example of moderation which had been followed by the subsequent speakers. He had heard the discussion which had taken place in another place on the subject, and he confessed he did not like what he heard there, nor did he like what had been stated in the Report of Colonel Jervois with respect to the defences of Canada. He knew the intentions of the Government, but his first impression was not favourable towards them; and after listening attentively to what had been said in that House, he thought the speech which had most practical common sense in it, and was most likely to command the attention of practical Englishmen, such as those assembled there, was the speech of the right hon. Gentleman the Member for Calne (Mr. Lowe). He joined with all that had been said by Gentlemen on the Treasury Bench as to the duties of the mother country towards Canada, and if Canada were anxious to stand by England it was the duty of England to support that colony. The only question between his right hon. Friend and the Gentlemen on the Treasury Bench appeared to be as to the best mode of doing that. They must not allow America to choose her own ground. He thought it would be impossible to defend Canada in the way suggested by Government. Did any one believe, even supposing these fortifications were erected, unless they had a sufficient number of men to man them, and the population of Canada were thoroughly armed, they would be of any avail? This country could only send a small nucleus of men over there. How did they propose to man the fortifications? The gallant officer, who had been sent over to Canada to report, said—

> "On the other hand, if the works now recommended be constructed, the vital points of the country could be defended, and the regular army would become a nucleus and support round which the people of Canada would rally to resist aggression."

He wanted to know how they were to rally? At the present moment there only existed something like 20,000 trained men in Canada. The difficulty felt in Canada was similar to that felt in this country when endeavouring to raise a Volunteer force in the rural districts. The people lived a considerable distance from each other, and were scattered over a large extent of country; it was, therefore, very difficult to get them together for training purposes. If they succeeded in training 50,000, or even 100,000 men, could such an army as that make a successful stand against the whole forces which the United States could bring against them? Supposing the army were driven into the fortifications, how was the rest of Canada to act against an overwhelming mass of troops? How were they to get by this nucleus sufficient trained men to repel such an enemy as they would have to cope with? It appeared to him that the course suggested by the right hon. Member for Calne was the only practical and sensible one. They might say to Canada that they would give her a loan of say £500,000 for fortifications, and sufficient men for the purpose of drilling the population; and when this work had been accomplished, and if war were unfortunately threatened, it would be a consideration whether England should not fight America on Canadian as well as on other ground. It appeared to him that what the Government proposed would be powerful to provoke war, but powerless to defend Canada.

MR. AYRTON said, that the Government had adopted what appeared to him to be a most extraordinary course. They might have come to the House, and, as in time of war, asked for a Vote for the amount which they considered necessary for the defence of Canada, simply saying that the affairs of the province demanded the outlay, and taking, of course, the responsibility which would naturally attend such a demand. If the Government possessed the entire confidence of the House the money might have been voted without any demur, and hon. Members opposite would have had another opportunity of exhibiting that willingness to support the Government in all kinds of expenditure which they had latterly continually displayed, and of inveighing against a small number of Members on his side of the House who had endeavoured to check the lavish expenditure of the present Administration. Such a course would have been intelligible, but it had not been adopted by the Government. Then the Government might have come before the House in another way. They might have given a complete explanation of all the circumstances in connection with the proposed expenditure, and thrown the responsibility upon the House. Instead, however, of doing either of those things, the Government had taken the extraordinary and most unsatisfactory course of throwing upon the table of the House the Report of Colonel Jervois, and practically asked for a Vote of money upon the faith of that Report. That Report was most unsatisfactory. There was not one word in it which would enable—he would not say a civilian—but a military man to form an opinion as to the necessity of the fortifications. Though making great pretensions, the Report did not contain one word of real information. The scheme, in reality, embraced the defence of several hundred miles of frontier, including the fortification of Hamilton, Toronto, Kingston, Montreal, and Quebec. They ought, however, to be informed whether those towns were to be completely surrounded with fortifications, and whether, having regard to the implements of modern warfare, the fortifications would be of such a character as to protect the towns from destruction in case of an attack upon the fortifications themselves. Above all, it was necessary for them to know the number of men that would be required for their defence. It would be advisable, moreover, that the House should be made acquainted with the intentions of the Government in regard to the erection or non-erection of barracks and bomb-proof accommodation within these fortifications for the protection of the garrison. Then, too, they ought to know how long a siege the fortresses were designed to maintain—because they knew that such works could not be regarded as impregnable, and that their reduction was only a matter of time. These were all salient facts which ought to be brought clearly under the notice of the House before it could form an opinion; and even then they would have to consider whether these fortifications were expedient at all. It might be said that the matters he had referred to, being of a technical character, came purely within the province of a military man; but he believed that there was a point where technical art ended, and common-sense began. A military man was no more competent than a civilian to decide upon the necessity of erecting fortifications, providing always that accurate technical information was placed before the latter. Several suggestions had fallen from hon. Members with regard to the proper mode in which we should treat Canada, and he should not have ventured to touch upon the subject but for the unsatisfactory answer which the right hon. Gentleman the Secretary for the Colonies had returned to the questions which had fallen from the hon. Member for Bradford (Mr. W. E. Forster). After all it seemed to him that the best way of protecting Canada was to preserve proper relations with the United States. If we were prepared to break those relations upon the slightest ground, any speculation on the defence of Canada would be of no avail. The claims made by the American Government and referred to by the hon. Member for Bradford might, according to the suggestion of Mr. Adams, be submitted to arbitration; at all events, he interpreted the despatch from that gentleman as containing such a suggestion. Having heard a good deal about arbitration being one of the chief principles adopted by Her Majesty's Government, he must confess that he had read with intense surprise the answer sent by Earl Russell to the temperate and legitimate despatch of the United States Government. It was not for us to consider whether the claims made by the United States were founded on justice and right. It was sufficient for our purpose that we possessed the knowledge that a great Power solemnly asserted its belief in the justice of those claims according to the principles of International Law and of justice. He held it was the bounden duty of our Government to enter into the negotiation, and fall in with the proposal as far as practicable. What, however, was the course adopted by Earl Russell? He wrote a despatch, which to his (Mr. Ayrton's) mind was most unsatisfactory, and it could not be denied that the publication of that despatch had caused great dissatisfaction in the United States. The fact was, that the disregard of the demands of the American Government was the real latent cause of the growing irritation in the minds of the American people. He thought that some further explanation was due to the House than had been offorded by the right hon. Gentleman to the question of the hon. Member for Bradford. The answer of the Secretary for the Colonies substantially was that the question remained in the same state as when that document was written. But that state was one of irritation and annoyance on the part of the United States. The hon. Member for Bradford must have expected some bet er answer—something to soften down that feeling of irritation. Had any steps been taken to meet the demands of the United States Government? It was obvious that those demands would be repeated, and must be repeated if the United States Government had any regard for its own honour; and then what would be the position of this country? We had a demand preferred by the United States when in difficulties, accompanied by a suggestion of a reference to arbitration. That demand we had flung aside; but it would be repeated when the United States were as strong as they hoped to be. What would then be our position? We must do precisely that which we refused to do now. We must do that or go to war; and where was the man who would stand up and say we ought to go to war after such a demand from the United States? Would it not be better for the country to look the question fairly in the face now, that the Government should again take the subject into its consideration, and endeavour to put it into a train for adjustment? Instead of that they came down with demands for fortifications and works of a defensive character. He thought the Government had better withdraw the Vote altogether—at least they ought to furnish the House with the necessary information for forming a judgment upon it. But he would prefer to hear from them that our relations with the United States were such as to induce a reasonable hope that they might be able to neutralize the great Lakes and to render unnecessary the further prosecution of hostile discussions.

LORD ROBERT CECIL: Sir, I have no doubt great advantages have arisen in recent times from the practice which has grown up of reporting to the public outside the debates which pass in this House; but, on the other hand, it is impossible to listen to such a debate as this without feeling that the practice has its drawbacks too. On speaker after another has got up and protested that he has not the faintest idea of any possible danger of a rupture with the United States; but one cannot but feel that there is something contradictory in the very existence of this debate and the statement which has been so ostentatiously brought forward—a contradiction not altogether flattering to our confidence in our own strength or calculated to increase in the minds of the rest of the world a favourable opinion of it. We value Gibraltar, but we are not always discussing how we will defend Gibraltar from Spain. We value Malta, but we are not always discussing how we will defend Malta from Italy. We are now discussing how we shall defend Canada, for one reason, and no other—that there is a Power which can attack Canada, and which has the will to do so. I have heard from the hon. and learned Gentleman who has just sat down (Mr. Ayrton), opinions which make me feel with greater force the drawback of having our debates reported to the public out of doors. The hon. and learned Gentleman has expressed in the broadest and strongest language his opinion that it is of little use for us to defend Canada unless we can contrive to make peace with the United States. I concur with him that, if we do so, it will be unnecessary for us to defend Canada. I was sorry to hear the observations which he made respecting the *Alabama*—observations similar to those which have been made elsewhere in the course of debate, and which may be misrepresented on the other side of the water—observations which entirely misrepresent the spirit and feelings of this House and the policy which England is likely to pursue. I am sure that England will never consent to submit to the excessive and extravagant demands which the Minister of the United States made in this respect—contrary, as has been repeatedly proved to the principles of International Law. I wish to protest also against the exaggerated application of the principle of arbitration. Arbitration is very well as to facts. If there is a dispute as to facts it is desirable to submit them to arbitration; but where the dispute is not as to facts but as to great principles of International Law, to submit them to arbitration is to hand over to the arbitrator the power of selecting or establishing that view of the principles of International Law to which you must adhere in all future time. Now I do not think that International Law can be framed on such principles, and I believe that if any attempt were made to do so the parties who appeared before the arbitrator would not submit to be bound by his decision. But there is another ground on account of which I think the debate we have heard to-night may operate prejudically to the interests of this country. In discussing this question it seems to me that we have thought of the interests of everything except the interests of the people of Canada. Now, the people of Canada have a solid and real danger before them. What presses on them is not the question of the British Empire—whether British honour shall be maintained or not—but the question of their own lives, their own homesteads, their own prosperity; and what they want to know is whether England is prepared to back them up, or whether she is not prepared to do so. And what answer do they receive? The Secretary for the Colonies gives generous and large spoken promises, destitute, as it seems to me, of any definite value, but still showing most amiable intentions. But in the House at large there is every possible theory for the defence of Canada which the imagination of man can conceive. The hon. Member for Stockport (Mr. Watkin) says, "you are bound to defend the whole frontier of Canada." Another hon. Gentleman says, the Government are merely bound to defend a few fortified points. The right hon. Member for Calne (Mr. Lowe) says, Canada will be best defended by abandoning her altogether and attacking the Americans somewhere else, or by defending the English Empire somewhere else. So that if we amassed a force to defend the Isle of Wight we should be defending Canada. But the hon. Member for the Tower Hamlets (Mr. Ayrton) says, the best way to defend Canada is never to quarrel with the United States. But what the people of Canada desire to know is, supposing we do quarrel with the United States, what will happen to them? They know that the House of Commons is the source of all political power, that it directs the policy of this country, and they will study the records of this debate with the anxious interest of men whose lives and interests are at stake. [MR. BRIGHT: Let us take care of ourselves.] The hon. Member for Birmingham says the best course for this country would be to take care of ourselves. That is a fifth suggestion. What I desire to press upon the House is that ambiguity and uncertainty is more dangerous to the interests, more fatal to the honour of England than any other course that you could adopt. You are bound to let the Canadians know, not by any vague generalities, not by mere generous and amiable sentiments, but in a business-like manner, and in accurate debate, what is the precise assistance they may expect from you, so that they may know how to conduct themselves accordingly. If you say you will defend them by abandoning them altogether, perhaps they may think the best means of defending themselves will be by abandoning you. If you tell them you will defend them on condition of their giving you the power to call out auxiliary forces from amongst them, they will know exactly what you require, and what they must do to earn your aid. But as the matter now stands, as far as I can understand from the Secretary for the Colonies, we are going to defend Canada, not as we should defend Scotland, as being an integral part of the British Empire, but with the admission to Canada that her defences must depend mainly upon herself. That seems to me an indefinite liability contingent on a perfectly indefinite condition. And I am afraid if you continue in this course you will drift into a condition not dissimilar to that in which we found ourselves last year. Denmark and Canada are not strictly related, but the unhappy similarity of policy which runs through all the acts of Her Majesty's Government brings them into close relation. Last year there were warnings of an approaching crisis—and we had the same ambiguity of language—there were general professions, there were encouragements to believe in assistance, not supported by any definite words; there was vague language, leading the weaker Power to risk her whole existence on the chance of our support; and then when the trial came, and we thought and found it too much for our strength, we withdrew from the vague ambiguous promises we had made, and allowed that weak Power to rush on to her own destruction. I think England has suffered sufficiently in reputation from that one experiment. We cannot afford to try such an experiment twice in two years. If Canada now trusts to the vague promises of the Secretary for the Colonies, and allows herself to be drawn into a quarrel with the United States—and I agree with the hon. Member for Horsham—the quarrel will not be with Canada but with England. I fear that the disastrous scenes of last year will be repeated over again. We shall then see the enormous danger—we shall then have 300,000 men on the frontier, a nucleus of 10,000 men to oppose them, and 20,000 volunteers, and an order for gunboats, which may some day make their appearance in the St. Lawrence. And when we are face to face with the difficulty we shall inquire what amount of obligation we have to Canada and what we have promised; the Secretary for the Colonies will then open *Hansard*, and find his speech delightfully vague, and then we shall look back to our despatches and discussions on the subject, and find that there is no definite promise which can be diplomatically enforced; and then perhaps shall persuade ourselves that Canada is best defended by abandoning Canada altogether, and that the best thing is to leave her inhabitants to the mild and paternal rule of the United States. [MR. WHITE: Hear!] I have no doubt the hon. Member for Brighton conceives that would be the best consummation that could happen, and I trust that if it does happen he will become an inhabitant of Canada. But I entreat the House to consider the matter as one that seriously affects the honour of England. Make up your minds what you can do and what you will do for Canada—make up your minds what you determine to do, and do it thoroughly and completely. Whatever yo do, let Canada know distinctly the conditions on which you are prepared to aid her, the extent to which you will go, and how far you do or how far you do not regard her as an integral portion of the British Empire. When you have made up your minds on that point and recorded your determination in some formal document, you will be able to look forward without fear to any change the future may bring, you will be prepared to do your duty as you have defined it, and to act up to the pledges you have given.

MR. BRIGHT: Sir, I am not sure that I should have addressed the House on this occasion but for the observations which have been made by the noble Lord. I think he has been perhaps a little more frank in his declarations on this occasion, and in pointing out the real thing which I suspect is passing in his mind, and in the minds of very many Members of the House who have made no statement of their own opinions during this debate. I hope the debate will be useful, although I am obliged to say, while I admit the importance of the question that has been brought before us, that I think it is one of some delicacy. That it is important is clear, because it refers to the possibility of war between this country and the United States, and its delicacy arises from this—that it is very difficult to discuss this question without saying things which tend rather in the direction of war than in the direction of peace. The difficulty that is now before us is this—that there is an extensive colony or dependency of this country lying adjacent to the United States, and if there be a war party in the United States—a party hostile to this country—that circumstance affords to it a very strong temptation to enter without much hesitation into a war with England, because it may feel that through Canada it can inflict a great humiliation upon this country. And at the same time it is perfectly well known to all intelligent men, especially to the statesmen and public men of the United States—it is as well known to them as it is to us—that there is no power whatever in this United Kingdom to defend successfully the territory of Canada against the power of the United States. Now we ought to know that, in order to put ourselves right upon this question, and that we may not talk folly and be called upon hereafter to act folly. Now the noble Lord at the head of the Government—or his Government, at any rate—is responsible for having compelled this discussion; because if a Vote is to be asked for this Session—and it is only the beginning of other Votes—it is clearly the duty of the House to bring the subject under discussion. I think the Vote now is particularly inopportune for many reasons, but especially as we have heard from the Governor General of Canada that they are about, in the North American Provinces, to call into existence a new nationality; and I, for one, shall certainly object to the taxes of this country being heedlessly expended in behalf of any nationality out our own. Now, what I should like to ask the House is this—first of all, will Canada attack the States? Clearly not. Next, will the States attack Canada—I am keeping out of view England altogether? Clearly not. There is not a man in the United States, probably, whose voice or whose opinion would have the smallest influence in that country, who would recommend or desire that an attack should be made by the United States upon Canada with a view to its forcible annexation to the Union. There have been lately, as we know, dangers on the frontier. The Canadian people have have been no wiser than some Members of this House—or than a great many men amongst the richer classes in this country. And when the refugees from the South—I am not speaking now of respectable and honourable men from the South, many of whom have left that country during these troubles, and for whom I feel the greatest commiseration, but I mean the ruffians from the South—who in large numbers have entered Canada and have employed themselves there in a course of policy likely to embroil us with the United States —I say that the people of Canada have treated these men with far too much consideration. They expressed very openly opinions hostile to the United States, whose power lay close to them. I will not go into a detail of what we are all sufficiently well acquainted with — the seizing of American ships on the Lakes, the raid into the State of Vermont, the robbing of a bank, the killing of a man in his own shop, the stealing of horses in open day, and another transaction of which we have very strong proof, that men of this class actually conspired to set fire to the largest cities of the Union. All these things have taken place and the Canadian Government made scarcely any sign. I believe that an application was made to the noble Lord at the head of the Foreign Office nearly a year ago, that he should stimulate the Canadian Government to some steps to avoid the dangers that have since arisen; but with that sort of negligence which has been so much seen here, nothing was done until the American Government and people, aroused by the nature of these transactions, showed that they were no longer about to put up with them. Then the Canadian Government and people took little notice. Now, Lord Monck, the Governor General of Canada—about whose appointment I have heard a great many people to complain, saying that he was a mere follower of the noble Lord at the head of the Government, who lost his election and was therefore sent out to govern a province—I am bound, however, to say, from all I have heard from Canada, that Lord Monck has conducted himself in a manner very serviceable to the colony, and with the greatest possible propriety as representing the Sovereign there. Lord Monck has been all along favourable to the United States, and I believe his Cabinet has also. I know that at least the most important newspaper there has always been favourable to the North. Still nothing was done; but the moment these troubles arose then everything was done. Volunteers had been sent to the frontier; the trial of the raiders has been proceeded with, and possibly they will be surrendered; and the Canadian Chancellor of the Exchequer has proposed a vote in their House of Parliament to restore to the persons of St. Albans, who were robbed by the raiders, the 50,000 dollars that were taken from them. And what is the state of things now? There is the greatest possible calm on the frontier. The United States have not a word to say against Canada. The Canadian people have found that they were wrong and have now returned to their right mind. There is not a man in Canada at this moment, I believe, who has any kind of idea that the United States Government has the smallest notion of attacking them, now or at any future time, on account of anything that has transpired between the United States and Canada during these trials. Well now, if there comes a war in which Canada shall suffer and be made a victim, it will be a war got up between the Government of Washington and the Government in London. And it becomes us to inquire whether that is at all probable. Is there anybody in this House in favour of such a war? I notice with general delight—and I was not a false prophet when I said some time ago that some day it would be so—I say I notice with delight the changed tone taken here with regard to these American questions. Even the noble Lord the Member for Stamford (Lord Robert Cecil) can speak without anger, and without any of that ill-feeling which I am sorry to say on past occasions he has manifested in discussing these questions. Now, I believe there is no man out of Bedlam—or at least who ought to be out of it —and I suspect there are very few men in Bedlam, who are in favour of our going to war with the United States. And in taking this view I am not arguing that it is because we see the vast naval and military power and the apparently inexhaustible resources of that country. I will not assume that you or my countrymen have come to the conclusion that it is better for us not to make war with America because you find her with a strength that you did not even suspect: I will say that it is upon higher grounds that we are all against a war with the United States. Why, our history for the last 200 years, and further back, is a record of calamitous, and for the most part unnecessary, wars.

We have had enough of whatever a nation can gain by military successes and military glory. I will not turn to the disasters that might follow to our commerce nor to the wide spread ruin that might be occasioned. I will say that we are a wiser and better people than we were in these respects, and that we should regard a war with the United States as even a greater crime, if needlessly entered into, than war with almost any other country in the world. Looking at our Government, we have preserved, with a good many blunders —one or two of which I shall comment upon by-and-by—neutrality during this great struggle. We have had it stated in this House, and we have had a Motion in this House, that the blockade was ineffective and ought to be broken. Men of various classes, parties agents of the Richmond conspiracy, persons, it is said, of influence from France—all these are reported to have brought their influence to bear on the noble Lord at the head of the Government and his Colleagues, with a view of inducing them to take part in this quarrel, and all this has failed to break our neutrality. Therefore, I should say, we may clearly come to the conclusion, that England is not in favour of war; and if there should be any act of war, or any aggression whatever, out of which Canada will suffer, I believe honestly it will not come from this country. That is a matter which gives me great satisfaction, and I believe the House will agree with me that I am not misstating the case. Now let us ask, Is the United States for war? I know the noble Lord the Member for Stamford (Lord Robert Cecil) has a lurking idea that there is some danger from that quarter ; I am not at all certain that it does not prevail in other minds, and in many minds not so acute as that with which the noble Lord is gifted. If we had at the Bar of the House Lord Russell as representing the English Government, and Mr. Adams as the representative of the Government of President Lincoln, and if we were to ask their opinion, they would tell us the same as the Secretary of the Colonies has this night told us—that the relations between the two countries, so far as it is possible to discover them, are perfectly amicable; and I know from the communications between the Minister of the United States and our Minister for Foreign Affairs that they have been growing more and more amicable for many months past. Now, I take the liberty of expressing this opinion — that there has never been an administration in the United States since the time of the Revolutionary War, up to this hour, more entirely favourable to peace with all foreign countries, and more especially favourable to peace with England, than the Government of which President Lincoln is the head. I will undertake to say that the most exact investigator of what has taken place will not be able to point to a single word he—President Lincoln—has said, or a single line he has written, or a single act he has done, since his first accession to power, that betrays anger against this country, or pain of any kind, or any of that feeling which some persons here fancy occupies the breasts of the President and his Cabinet. Then if Canada is not for war, if England is not for war, and if the United States are not for war, whence is the war to come? This is what I should like to ask. I wish the noble Lord the Member for Stamford had been a little more frank. I should like to ask whence comes the anxiety, which undoubtedly to some extent prevails? It may be assumed even that the Government is not wholly free from it; but they have shown it in an almost ludicrous manner by proposing a Vote of £50,000. It is said the newspapers have got into a sort of panic. They could do that any night between the hours of six and twelve o'clock, when they write their articles. They are either very courageous or very panic stricken. It is said that "the City" joins in this feeling. We know what "the City" means—the right hon. Gentleman alluded to it to-night. It means that the people who deal in shares —though that does not describe the whole of them—"the monied interest" of the City are alarmed. Well, I never knew the City to be right. Men who are deep in great monetary transactions, and who are steeped to the lips sometimes in perilous speculations are not able to take broad and dispassionate views of political questions of this nature. As to the newspapers, I agree with my hon. Friend the Member for Bradford (Mr. W. E. Forster) when, referring to one of them in particular, he intimated that he thought its course was indicated by a wish to cover its own confusion. Surely, after four years' uninterrupted publication of lies with regard to America, I should think it has done pretty much to destroy its influence on foreign questions for ever. But there is a much higher authority—that is the authority of the Peers. I do not know why we should be so much restricted with regard to the House of Lords in this House. I think I have observed that in their place they are not so squeamish as to what they say about us. It appeared to me that in this debate the right hon. Gentleman (Mr. Disraeli) felt it necessary to get up and endeavour to excuse his chief. Now, if I were to give advice to the hon. Gentlemen opposite, it would be this—for while stating that during the last four years many noble Lords in the other House have said foolish things, I think I should be uncandid if I did not say that you also have said foolish things,—learn from the example set you by the right hon. Gentleman. He, with a thoughtfulness and statesmanship which you do not all acknowledge, he did not say a word from that Bench likely to create difficulty with the United States. I think his chief and his followers might learn something from his example. But I have discovered one reason why in that other place mistakes of this nature are so often made. Not long ago there was a great panic raised, very much by what was said in another place about France. Now an attempt is made there to create a panic upon this question. In the hall of the Reform Club there is affixed to the wall a paper which gives a telegraphic account of what is being done in this House every night, and what is also being done in the other House, and I find almost every night from the beginning of the Session the only words that have appeared on that side devoted to a record of the proceedings of the House of Lords are these words, "Lords adjourned." The noble Lord at the head of the Government is responsible. He has brought this House nearly to the same condition. We do very little, and they do absolutely nothing. All of us in our younger days, I am quite sure, were taught by those who had the care of us a verse which was intended to inculcate the virtue of industry. One couplet was to this effect—

> "Satan still some mischief finds
> For idle hands to do."

And I do not believe that men, however high in station, are exempt from that unfortunate effect which arises to all of us from a course of continued idleness. But I should like to ask this House in a most serious mood, what is the reason that any man in this country has now more anxiety with regard to the preservation of peace with the United States than he had a few years ago? Is there not a consciousness in our heart of hearts that we have not during the last five years behaved generously to our neighbour. Do not we feel someway a pricking of conscience, and are we not sensible that conscience tends to make us cowards at this particular juncture?

Well, I shall not review the past transactions with anger, but with feelings of sorrow; for I maintain, and I think history will bear out what I say, that there is no generous and high-minded Englishman who could look back upon the transactions of the last four years without a feeling of sorrow at the course we have pursued on some particular occasions. As I am wishful to speak with a view to a better state of feeling, both in this country and in the United States, I shall take the liberty, if the House will permit me for a few minutes, to refer to two or three of these transactions, where, I think, though perhaps we were not in the main greatly wrong, yet in some circumstances we were so far unfortunate as to have created an irritation which at this moment we wish did not exist. The hon. Member for Horsham (Mr. Seymour Fitzgerald) referred to the course taken by the Government with regard to the acknowledgment of the belligerent rights of the South. Now I have never been one to condemn the Government for acknowledging those belligerent rights, except upon this ground—I think it might be logically contended that it might possibly become necessary to take that step—but I do think the time and manner in which it was done were most unfortunate, and could not but produce very evil effects. Going back nearly four years, we recollect what occurred when the news arrived of the first shot having been fired at Fort Sumter. That, I think, was about the 12th of April. Immediately after that time it was announced that a new Minister was coming to this country. Mr. Dallas had intimated to the Government that as he did not represent the new President he would rather not undertake anything of importance; but that his successor was on his way and would arrive on such a day. When a man leaves New York on a given day you can calculate to about twelve hours when he will be in London. Mr. Adams, I think, arrived in London about the 13th of May, and when he opened his newspaper next morning he found the proclamation of neutrality, acknowledging the belligerent rights of the South. I say that the proper course to have taken would have been to wait till Mr. Adams arrived here, and to have discussed the matter with him in a friendly manner, explaining the ground upon which the English Government had felt themselves bound to issue that proclamation, and representing that it was not done in any manner as an unfriendly act towards the United States Government. But no precaution whatever was taken; it was done with unfriendly haste; and had this effect, that it gave comfort and courage to the conspiracy at Montgomery and at Richmond, and caused great grief and irritation amongst that portion of the people of America most strongly desirous of maintaining amicable and friendly relations between their country and England. To illustrate this point allow me to suppose a great revolt had taken place in Ireland, and that we had sent over within a fortnight of the commencement of such an unfortunate transaction a new Minister to Washington, and that on the morning after arriving there he should find that without consulting him the Government had taken a hasty step by which the belligerent rights of the insurgents had been acknowledged, and by which comfort and support had been given them. I ask any man whether, under such circumstances, the feeling throughout the whole of Great Britain, and in the mind of every man anxious to preserve the unity of Great Britain and Ireland, would not necessarily be one of irritation and exasperation against the United States? I will not argue this matter further—to do so would be simply to depreciate the intellect of the hon. Gentlemen listening to me. Seven or eight months afterwards there happened another transaction of a very different but unfortunate nature—that is the transaction arising out of the seizure of two Southern envoys out of an English ship—the *Trent.* I recollect making a speech down at Rochdale about the time of that occurrence. It was a speech entirely in favour of the United States Government and people—but I did nor then undertake, as I do not undertake now, in the slighest degree to defend the seizure of those two envoys. I said that although precedents for such an action might possibly be found to have occurred in what I will call some of the evil days in our history, at any rate it was opposed to the maxims and principles of the United States Government, and as I thought a bad act which should not have been done. Well, I do not complain of the demand that those men should be given up; but I do complain of the manner in which that demand was made, and the menaces by which it was accompanied. I think it was wrong and unstatesman-like that at the moment we heard of a transaction, when there was not the least foundation for supposing that the United States Government were aware of the act, or had in the slightest degree sanctioned it, as we since well knew they did not—that you should immediately get ships ready, and send off troops, and let out the organs of the press—who are always ready to inflame the passions of the people to frenzy, to prepare their minds for war. But that was not all; because before the United States had heard a word of the matter from this country their Secretary of State had written to Mr. Adams a despatch, which was communicated to our Government, and in which it was stated that the transaction had not been done by any orders of theirs, and therefore, as far as they and we were concerned it was a pure accident, and they should consider it with the most friendly disposition towards this country. How came it that that despatch was never published for the information of the people of this country? How happened it that during one whole month the flame of war was fanned by the newspapers, particularly by those supposed to be devoted to the Government, and that one of those newspapers, supposed to be peculiarly devoted to the Prime Minister, had the audacity—I do not know whence it obtained its instructions—to deny that any such despatch had been received? Now, Sir, I am of opinion that it is not possible to maintain amicable relations with any great country—and I think it is not with any little one—unless Governments will manage these different transactions in what I will call a more courteous and more honourable manner. I happen to know, for I received a letter from the United States, from one of the most eminent men in that country, dated only two days before those men were given up, and he said the real difficulty in the course of the President was that the menaces of the English Government had made it almost impossible for them to concede; and the question they asked themselves was whether the English Government was intending to seek a cause of quarrel or not? And I am sure the noble Lord at the head of the Government if such a demand had been made upon him with courtesy and fairness, as between friendly nations, would have been more disposed to concede, and would have found it much more easy to concede, than if the demand had been made accompanied by menaces such as his Government offered to the Government of the United States. Now the House will observe that I am not condemning the Government of this country for the main point of what they did. I am only condemning them because they did not do what they had to do in that manner which would be most likely to remove difficulties and preserve a friendly feeling between the two nations.

Then I come to the last thing I shall mention—to the question of the ships which have been preying upon the commerce of the United States. I shall confine myself to that one vessel, the *Alabama*. She was built in this country; all her munitions of war were from this country; almost every man on board her was a subject of Her Majesty. She sailed from one of our chief ports. She is reported to have been built by a firm in whom a Member of this House was, and I presume is, interested. Now, Sir, I do not complain —I know that once, when I referred to this question two years ago, when my hon. Friend the Member for Bradford brought it forward in this House, the hon. Member for Birkenhead (Mr. Laird) was excessively angry—I did not complain that the Member for Birkenhead had struck up a friendship with Captain Semmes, who may be described, as another sailor once was of similar pursuits, as being "the mildest mannered man that ever scuttled ship." Therefore, I do not complain of a man who has an acquaintance with that notorious person, and I do not complain, and did not then, that the Member for Birkenhead looks admiringly upon the greatest example which men have ever seen of the greatest crime which men have ever committed. I do not complain even that he should applaud that which is founded upon a gigantic traffic in living flesh and blood, which no subject of this realm can enter into without being deemed a felon in the eyes of our law and punished as such. But what I do complain of is this, that the hon. Gentleman the Member for Birkenhead, a magistrate of a county, a deputy-lieutenant—whatever that may be —a representative of a constituency, and having a seat in this ancient and honourable Assembly—that he should, as I believe he did, if concerned in the building of this ship, break the law of his country—driving us into an infraction of International Law, and treating with undeserved disrespect the proclamation of neutrality of the Queen. I have another complaint to make, and in allusion to that hon. Member. It is within your recollection that when on the former occasion he made that speech and defended his course, he declared that he would rather be the builder of a dozen *Alabamas* than do something which nobody had done. That language was received with repeated cheering from the Opposition side of the House. Well, Sir, I undertake to say that that was at least a very unfortunate circumstance, and I beg to tell the hon. Gentleman that at the end of last Session, when the great debate took place on the question of Denmark, there were many men on this side of the House who had no objection whatever to see the present Government turned out of Office, for they had many grounds of complaints against them, but they felt it impossible that they should take the responsibility of bringing into Office the right hon. Member for Buckinghamshire or the party who could utter such cheers on such a subject as that.

Turning from the Member for Birkenhead to the noble Lord at the head of the Foreign Office, he who in the case of the acknowledgment of belligerent rights had proceeded with such remarkable celerity, undue and unfriendly haste, in the course he had pursued, when he came to the question of the *Alabama* amply compensated for it by his slowness of procedure. And what was a curious thing, which even the noble Lord's Colleagues have never been able to explain, although he sent to Cork to stop the *Alabama* if she arrived there, she having gone out of the jurisdiction of the Crown of these islands, he allowed her afterwards to go into a dozen or a score of ports belonging to this country in different parts of the world. It seems to me that this is rather a special instance of that feebleness of purpose on the part of the noble Lord which I regret to say has on many occasions done much to mar what would otherwise be a great political career. Now I will not detain the House on the question of the rams. The hon. Member for Birkenhead, or the firm or family, or whoever the people are at Birkenhead who do these things, this firm at Birkenhead, after they had seen the peril into which the country was drifting on account of the *Alabama*, proceeded most audaciously to build those two rams; and it was only at the very last moment, when on the eve of a war with the United States on account of those rams, that the Government happily had the courage to seize them, and thus the last danger was averted. I take it there are some shipowners here. I dare say there are many in London—there are many in Liverpool—what would be the feeling in this country if they suffered in this way from ships built in the United States? There is a shipowner in New York, Mr. Lowe, a member of the Chamber of Commerce of New York. He had three large ships destroyed by the *Alabama*; and the *George Griswold*, that came to this country freighted with a heavy cargo of provisions of various kinds for the suffering people of Lancashire, was destroyed on its return passage, and the ship that destroyed it may have been, and I believe was, built by these patriotic shipbuilders of Birkenhead. These are things that rankle in the breast of the country that is subjected to those losses and indignities. Even to day I see in the paper that a vessel that went out of this country has destroyed ten or eleven ships between the Cape of Good Hope and Australia. I have thought it unnecessary continually to bring American questions before the House, as some Gentlemen have done during the two or three last Sessions. They should have asked a few questions in regard to those ships; but no, they asked no question upon these points. They asked questions upon every point on which they thought they might embarrass the Government and make the great difficulties of the Government greater in all their transactions with the United States. But the Members of the Government have not been too wise. I hope it will not be thought that I am unnecessarily critical if I say that Governments are not generally very wise. Two years ago the noble Lord at the head of the Government and the Attorney General addressed the House. I asked the noble Lord—I do not often ask him for anything — to speak, if only for five minutes, words of generosity and sympathy to the Government and people of the United States. He did not do it. Perhaps I was foolish to expect it. The Attorney General made a most able speech. It was the only time I have listened to him, in all the time I have known him in this House, with pain, for I thought his speech was full of bad morals and bad law. I am quite certain that he gave an account even of the facts of the case which was not as ingenuous and fair as the House had a right to expect from him. Next Session the noble Lord and the Attorney General turned quite round. They had a different story about the same transaction, and gradually, as the aspect of things was changed on the other side of the Atlantic, there has been a gradual return to good sense and fairness, not only on the part of Members upon the Treasury Bench, but of other Members of the House.

Now, Sir, I would not willingly say a word that would wound either the noble Lord at the head of the Foreign Office or the Chancellor of the Exchequer, because I do not know amongst the official statesmen of this country two men for whom I have greater sympathy or more respect; but I have to complain of them. I do not know why it is that they both go down to Newcastle—a town in which I feel a great interest—and there give forth words of offence and *un*-wisdom. I know that what the noble Lord said was all very smart, but really it was not true, and I have not much respect for a thing that is merely smart and is not true. The Chancellor of the Exchequer made a statement too. The papers made it appear that he did it with exultation; but that is a mistake. But he made a statement, and though I do not know what will be in his Budget, I know his wishes in regard to that statement — namely, that he never had made it. Those Gentlemen, bear in mind, sit on the hill; they are not obscure men, making speeches in a public-house or even at a respectable mechanics' institution; they are men whose voice is heard wherever the English language is known. And knowing that, and knowing what effect their speeches will have, especially in Lancashire, where men are in trade and feel the profits and losses of everybody, they use the language I complain of; and I can conceive some idea of the irritation those statements must have caused in the United States. I might refer to the indiscriminating abuse of the hon. and learned Gentleman the Member for Sheffield; and I may add to that the unsleeping ill-will of the noble Lord the Member for Stamford. I am not sure that these two Members of the House are in the least degree converted yet. I think I heard the hon. Member for Sheffield utter to-night some ejaculation that looked as if he retained all his old sentiments. [Mr.

ROEBUCK: Exactly.] I am sorry it is so. I did hope that these things would be regretted and repented of; and I must express my hope that if any one of you who have been thus ungenerous shall ever fall into trouble of any kind you will find your friends more kind and generous than you have been to your fellow-countrymen —for I will still call them so—at the other side of the Atlantic. And as to the press, Sir, I think it is unnecessary to say much about that, because now every night those unfortunate writers are endeavouring to back out of everything they have been saying; and I can only hope that their power of evil in future will be greatly lessened by the stupendous exhibition of ignorance and folly which they have made to the world.

Now, Sir, having made this statement, I suppose the noble Lord the Member for Stamford, if he were to get up after me, would say, "Well, if all this be true—if we have done all these injurious things, if we have created all this irritation in the United States — will it not be likely that that irritation will provoke a desire for vengeance, and that the chances of war are greatly increased by it?" I do not know whether the chances of war are increased, but I will say that not only is war not certain, but it is to the last degree improbable. But, Sir, there is another side to this question. All England is not included in the rather general condemnation which I have thought it my duty to express. There is another side. Looking to our own population, what have the millions been saying and doing—the millions you are so much afraid of?—especially the noble Lord the Member for Stamford who objects to the transference of power to those millions from those who now hold it, and that is a natural thing. But I beg leave to tell the House that, taking the counties of Lancashire and Yorkshire — your great counties of population—the millions of men there, whose industry has not only created but sustains the fabric of your national power, have had no kind of sympathy with the views I have been condemning. They have been more generous and more wise; they have shown that magnanimity and love of freedom are not extinct. And speaking of the county from which I come—the county of many sorrows, whose griefs have hung like a dark cloud over almost every heart during the last three years—all the attempts there of the agents of the Confederacy by money, by printing, by platform speeches, by agitation, have utterly failed to get from that population one expression of sympathy with the American insurrection. And, Sir, if the bond of union and friendship between England and America shall remain unbroken, we shall not have to thank the wealthy and cultivated, but the laborious millions whom statesmen and histories too frequently make little account of. They know a little of the United States, which Gentlemen opposite and some on this side the House do not appear to know. They know that every man of them would be better off on the American continent, if he chose to go there, and would be welcome to every right and privilege that the people are in possession of. They know further that every man may have from the United States Government a free gift of 160 acres of the most fertile land in the world. [*A laugh.*] I do not understand that laugh, but 160 acres of land is a great deal for a man who has no land to get under the Homestead Act of America. I can tell you that the Homestead Act and the liberality of the American Government have had a great effect upon the population of the North of England, and I can tell you this — that the labouring population of this country— the artizans and the mechanics —will never join heartily in any policy which is intended to estrange the people of the United States from the people of the United Kingdom. But, Sir, we have other securities for peace which are not less than these, and I find them in the character of the Government and people of the American Union. I think the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) referred to what must reasonably be supposed to happen in case this rebellion should be put down— that when a nation was exhausted it would not rush rashly into a new struggle. The loss of life has been great, the loss of treasure enormous. Happily for them this life and this treasure has not been sacrificed to keep a Bourbon on the throne of France, nor to keep the Turks in Europe —it was for an object which every man could comprehend, which every man could examine by the light of his own intelligence and his own conscience; and if men have given their lives and their possessions, it was for the attainment of a great end, the maintenance of the unity and integrity of a great country. History in the future must be written in a different spirit from all history of the past if it shall express any condemnation of that people. Mr. Lincoln, who is now for the second time President of the United States, was elected exclusively by what was termed the Republican party. He is now elected by what may be called the Great Union party of the nation. But Mr. Lincoln's party has always been for peace. That party in the North has never carried on any war of aggression, and has never desired one. I speak of the North only, the Free States. And let the House remember that in that country landed property, property of all kind, is more universally diffused than in any other nation, that instruction and school education are also more widely diffused there than amongst any other people. Well, I say, they have never carried on hitherto a war for aggrandizement or for vengeance, and I believe they will not begin one now. Canada, I think the noble Lord will admit, is a very tempting bait, not for the purpose of annexation, but for the purpose of humiliating this country. I agree with the hon. Gentlemen who have said that it would be discreditable to England, in the light of her past history, that she should leave any portion of her Empire undefended which she could defend. But still it is admitted—and I think the speech of the right hon. Gentleman the Member for Calne (Mr. Lowe) produced a great effect upon those who heard it—the House admitted that in case of war with the United States, Canada could not be defended by any power on land or at sea which this country could raise or spare for that purpose. I am very sorry, not that we cannot defend Canada, but that any portion of the dominions of the British Crown is in such circumstances as to tempt evil disposed people to attack it with the view of humiliating us, because I believe that transactions which humiliate a Government and a nation, are not only disagreeable, but a great national harm. But, now, is there a war party in the United States? Well, I believe there is. It is that party which was a war party eighty years ago. It is the party represented by hon. Gentlemen who sit on that Bench—the Irish party. They in the United States who are hostile to this country, are those who were recently malcontent subjects of the right hon. Gentleman the Member for Tamworth. It is these, and such as these, to whom the noble Lord at the head of the Government offers only such consolation as that of telling them that "the rights of the tenants are the wrongs of the landlords," who constitute the only war party in the United States; and it was the war party in the days of Lord North. But the real power of the United States does not rest on that class. American mobs—and excepting some portion of the population of New York, I would not apply the language even to them—for the sake of forcing their Congress and their Executive to a particular course, are altogether unknown. The real mob in your sense, is that party of chivalrous gentlemen in the South, who have received, I am sorry to say, so much sympathy from some persons in this country and in this House. But the real power depends upon another class—the landowners throughout the country, and there are millions of them. Why, in this last election for President of the United States, I was told by a citizen of New York, who was most active in the election, that in the United States alone 100,000 Irish votes were given, as he expressed, solidly—that is, in one mass—for General M'Clellan, and that not more than 2,000 were given for President Lincoln. You see the preponderance of that party in the city of New York, and that is the feeling thoughout the State of New York; but, throughout the whole of the United States, it is merely a small percentage which has no sensible effect upon the constitution of Congress, or upon legislation or government.

My hon. Friend the Member for Bradford (Mr. W. E. Forster) referred to a point which I suppose has really been the cause of this debate, and that is the temper of the United States in making certain demands upon our Government. I asked a question the other night after the noble Lord had asked a question upon the subject—I asked whether we had not claims against them. I understand claims were made upon us by the United States amounting to £300,000 or £400,000. I am afraid that we have claims against them, amounting probably to as much as that. If any man thinks he has a right to go to law with another, and that other has an answer to his claim, the case must be heard. And so between two great nations and two free Governments. If one has claims against the other, and the other has claims against it, clearly nothing can be more fair than that those claims should be courteously and honestly considered. It is quite absurd to suppose that the English Government and the Government at Washington can have a question about half a million of money which they cannot amicably settle. The noble Lord, I believe, thinks it is not a question for arbitration, but that it is a question of principle. Well, all questions of property almost are questions of law, and you go to a lawyer and settle them if you can. In this case it would be surely as easy to have the matter settled by some impartial person as it was to ask the Senate or somebody at Hamburg to settle a question between this country and the Empire of Brazil. Our most perfect security is, that as the war in America draws to a close—if it should happily soon draw to a close—we shall become more generous to them, and their Government and people will probably become less irritated towards us. And when the passions have cooled down, I am quite sure that Mr. Seward on that side, and Earl Russell on this, Mr. Adams here, and Sir Frederick Bruce there, will be able, without much difficulty, to settle this after all unimportant matter as a question of accounts between the two nations.

I have only one more observation to make, and it is this—I suspect the root of all the unfortunate circumstances that have occurred is in the feeling of jealousy which we have cherished with regard to the American nation. It was very much shown at the beginning of this war, when a Member whom I will not name, for I am sure his wish is that his name should not be mentioned in connection with it now, spoke of the bursting of the bubble republic. I recollect Lord John Russell, as he then was, sitting on that Bench, turned round and rebuked him in language that was worthy of his name, and character, and position. I beg to tell that Gentleman, and anybody else who talks about a bubble republic, that I have a strong suspicion he will see that a great many bubbles will burst before that. Why should we fear a great nation on the American continent? Some people fear that, should America become a great nation, she will be arrogant and aggressive. It does not follow that it should be so. The character of a nation does not depend altogether upon its size, but upon the instruction, the civilization, and the morals of its people. You fancy the supremacy of the sea will pass away from you; and the noble Lord, I dare say, who has had much experience, and is wiser on the subject than any man in the House, will say that "Rule Britannia" would become obsolete. Well, inasmuch as the supremacy of the seas means arrogance and the assumption of supremacy on the part of this country, the sooner that becomes obsolete the better. I do not believe that it is for the advantage of this country or any country in the world that any one nation should pride itself upon what it terms supremacy of the sea; and I hope the time is coming—I believe the hour is hastening —when we shall find that law and justice shall guide the councils, and shall direct the policy of the Christian nations of the world. Nature will not be baffled because we are jealous of the United States—the decrees of Providence will not be overthrown by aught we can do. The population of the United States is now not less than 35,000,000. When the next Parliament of England has lived to the age that this has lived to, that population will be 40,000,000, and you may calculate that increase at the rate of rather more than 1,000,000 of persons per year. Who is to gainsay it? Will constant snarling at a great republic alter the state of things or swell us up in these islands to 40,000,000 or 50,000,000, or bring them down to our 30,000,000? Hon. Members and the country at large should consider these facts, and learn from them that it is the interests of the nations to be at one—to be in perfect courtesy and amity with the English nation on the other side of the Atlantic. I am sure the longer that nation exists the less will our people be disposed to sustain you in any needless hostility against them or jealousy of them. And I am the more convinced of this from what I have seen of their conduct in the north of England during the last four years. I believe, on the other hand, that the American people, when this excitement is over, will be willing, so far as aggressive acts against us are concerned, to bury in oblivion transactions which have given them much pain, and that they will make the allowance which they may fairly make, that the people of this country—even those high in rank and distinguished in culture —have had a very inadequate knowledge of the real state of the events which have taken place in that country since the beginning of the war. It is on record that when the author of *The Decline and Fall of the Roman Empire* was about beginning his great work, David Hume wrote a letter to him urging him not to employ the French but the English tongue, "because," he said, "our establishments in America promise superior stability and duration to the English language." How far that promise has been in part fulfilled we who are living now can state; but how far it will be more largely and more completely fulfilled in after times we must leave after times to tell. I believe that in the centuries which are to come it will be the greatest pride and the highest renown of England that from her loins have sprung a hundred millions—it may be two hundred millions—of men who dwell and prosper on that continent which the old Genoese gave to Europe. Sir, if the sentiments which I have uttered shall become the sentiments of the Parliament and people of the United Kingdom—if the moderation which I have described shall mark the course and Government of the people of the United States—then, notwithstanding some present irritation and some present distrust—and I have faith both in us and them—I believe that these two great commonwealths will march abreast, the parents and the guardians of freedom and justice, wheresoever their language shall be spoken and their power shall extend.

VISCOUNT PALMERSTON: Sir, however long this discussion may have been, I, for one, cannot regret that it has taken place; for by the majority of Members in this House two opinions have been expressed which cannot fail to be useful in the quarters to which they have been addressed. The first opinion is that which has been peculiarly dwelt upon by the hon. Member who has just sat down—namely, the most earnest desire that the most friendly relations should be maintained between Great Britain and the United States of America; and next, the opinion that we should maintain the connection which exists between this country and our provinces on the North American continent so long as the people of those provinces are desirous of maintaining their connection with the mother country. The hon. Member who has just spoken (Mr. Bright) has made what in one respect may appear a paradoxical, but what, I think, as human nature is constituted, was a very conciliatory speech towards the United States: for though the hon. Member reviewed a long course of events to prove that the United States have been most grievously ill-treated by this country—I do not agree with him in any one of these points—it is no doubt a part of human nature that you cannot better please any man or, any set of men, than by telling them they have been exceedingly ill-used. I will not follow the hon. Member when he complains that we admitted the belligerent rights of the South—an admission which was the result of necessity and not of choice; I will not follow him into the discussion of the *Trent* question, which I thought had been fully disposed of, and into the questions which have arisen between the Government, or rather, I should say, the people of some parts of Canada and the United States; because, as he admitted himself, the conduct of the Canadian Government has been such as to be acknowledged gratefully by the Government of the United States as a full and complete fulfilment of the duties of friendly neighbourhood. The hon. Gentleman says there exists in this country a jealousy of the United States. Sir, I utterly deny that assertion. We feel no jealousy of the United States. On the contrary, I am sure that every Englishman must feel proud at seeing upon the other side of the Atlantic a community sprung from the same ancestry as ourselves, rising in the scale of civilization, and attaining every degree of prosperity—aye, and of power, as well as wealth. I therefore entirely deny that there exists in this country any feeling of jealousy as regards the United States. Undoubtedly there are men who, differing from the hon. Gentleman in their theory of government, cannot see with the same approbation which he feels the trial on the other side of the Atlantic of a system of government which we do not think is the best or the most conducive to the happiness of those for whom it was established. But that is an entirely different thing from the feeling which the hon. Gentleman has supposed. No doubt during this contest in America there has been expressed, and probably felt, both in the North and in the South, some irritation against this country. But that irritation has been caused by the natural feeling which two parties in a quarrel have, that a third party who does not espouse either sides is to a certain degree doing both sides an injury, or giving them some cause of complaint or of jealousy. The North wished us to declare on their side; the South wished us to declare on theirs; and as we maintained a perfect neutrality between the two some slight degree of irritation arose on both sides against us. But I am equally persuaded, with the hon. Gentleman, that among the great bulk of the people of the United States there are feelings deeper than that irritation — feelings of goodwill towards the country from which their ancestors were derived; and I am satisfied that when this unfortunate contest shall have ceased, whatever its termination, the natural feeling of goodwill and relationship which ought to prevail between two kindred nations will take the place of any temporary irritation which the circumstances of the war may have occasioned. I am quite satisfied also that England will not give to the United States any just cause of complaint — that war will not proceed from us; and if war does not proceed from our side, and if, as the hon. Gentleman thinks, it does not proceed from theirs, then we may have a well-founded expectation that in spite of adverse appearances for the moment, and in spite of the prognostications of many, the friendly relations between this country and the United States will not incur any real danger of interruption. But that is no reason why we should not use the means in our power to place our fellow-citizens, if I may so call them, in Canada and the Northern Provinces in a state of defence should they be attacked. Sir, there is no better security for peace than strength to resist attack, if attack should come. That is no provocation. It is an abuse of terms to say that when you employ means to prevent danger if it should arise, you are provoking that danger and irritating the party against whom those precautions may be taken. If no animosity exists these precautions can have no effect except that of inspiring confidence in the party in whose favour they are made. If, on the other hand, there be a disposition to attack, that disposition is sure to be lessened in proportion as the chance of success is diminished. Now, I cannot agree with my right hon. Friend the Member for Calne (Mr. Lowe) in thinking that whatever are the difficulties—and difficulties undoubtedly there may be—in successfully resisting an attack, if it should be made by America on Canada, we should regard the defence of Canada as an undertaking which we could not succeed in accomplishing. I think, on the contrary, that Canada may be defended. And I also feel that the honour of England and the good faith which is due to our loyal fellow-countrymen in these Northern Provinces require that, at all events, we should make the attempt successfully to defend her. Not concurring, therefore, in the argument of my right hon. Friend that Canada cannot be defended, least of all do I concur in his conclusion that, assuming defence to be impossible, we ought forthwith to withdraw our troops. I neither admit the argument nor assent to its conclusion; and I am anxious that there should be no mistake on the subject, and that it may be fully understood that it is not the intention of the Government to follow the advice of my right hon. Friend and withdraw our troops from Canada. On the contrary, I feel that the honour of England demands, and that our duty as a Government binds us to do everything—moreover, that we shall have the sanction of the British Nation in doing everything—that we can to defend our fellow-countrymen in Canada if attacked. As I have already said, I am persuaded that the tone of moderation which has prevailed in this debate must be useful both in Canada and in the United States. No doubt there are those who have endeavoured to persuade the people of the United States that there exists in this country a spirit of hostility towards them, and that we are looking out for grounds of quarrel. There can, however, be no real and just grounds for quarrel between us. We certainly shall not seek such grounds, nor shall we invent them; and if the speech of the hon. Gentleman who has just sat down be a true and faithful exposition of the sentiments of the people of the United States, there can be no well-founded apprehension that the peace happily prevailing between us is in danger of interruption. I can confirm the statement of my right hon. Friend, that the present relations between the two Governments are perfectly friendly and satisfactory. We have no complaint to make of the Government of the United States; they have acted in a fair and honourable manner in all the matters that may have arisen between us. No doubt there are claims which they have put forward, not urging them at present, but laying the ground for their discussion at some future time. No doubt, also, we have claims upon them which we do not put forward at present, but have announced to be claims which at some future time may be discussed. But I should trust that we both feel it to be for the interest —aye, and for the honour—of the two countries, that peace should be preserved, and that matters of this sort ought to be capable of a friendly and amicable adjustment. All I can say is that the Government, as long as they continue to be chargeable with the conduct of affairs, will do everything that the honour and interests of the country permit them to do to maintain inviolate the relations of peace and friendship between the two countries.

CONVENTUAL ESTABLISHMENTS.

PERSONAL EXPLANATIONS.

MR. HENNESSY, who had given notice "to ask the hon. Member for North Warwickshire a question with reference to the correspondence he has published relating to his recent Motion," said, that since the debate which had taken place upon his (Mr. Newdegate's) Motion relating to the inspection of convents, the hon. Gentleman had published in *The Times* a letter written in answer to one which he had received from Bishop Ullathorne. The hon. Gentleman was entitled, if he thought fit, to hold, and even to publish, the opinion that—

> "The direct action of the Romish hierarchy through or upon the Roman Catholic Members of the House had been obvious to every Member taking an interest in such questions as were debated"

on the occasion referred to. But his letter went on to say—

> "When I stated these facts, as connected with this convent, the facts were denied by some Roman Catholic Members in the House, but the impression produced by the statement of them, taken together with the other facts at that time alleged, could have had little weight with the House, for the majority seemed to think, with the late Mr. Drummond, that the power of denial on the part of some Roman Catholic Members of the House on these subjects was so wonderful that the House decided to consider a measure for testing these denials by the establishment of an inspection of convents."

This sentence was somewhat involved, but there could not be the slightest doubt that it conveyed an imputation and charge against Roman Catholic Members to which no Gentleman should submit. Heretofore, the hon. Member for North Warwickshire had adopted the prudent policy of attacking women or treating ecclesiastics with very scant courtesy; and it did not need a very courageous heart to strike a blow at those whose sex or sacerdotal character rendered them incapable of self-defence. But deviating for the first time from his old course, the hon. Gentleman by penning that sentence had placed himself for the first time face to face with those who had power and likewise the determination to require a strict account for the language thus made use of. He wished the hon. Gentleman to tell the House distinctly what he meant by that sentence, and whether in his place in the House he was prepared to adopt it. The charge implied in the sentence was only insinuated, and on that account was all the more offensive. He wished to ask the hon. Gentleman whether he was prepared to prove that charge, and if he were not able to do so, then to call upon him to give to those whom by the insinuation he had insulted an ample and full apology?

MR. NEWDEGATE said, that while in Warwickshire on last Friday evening he received a note from the hon. Member for the King's County stating that he intended on that afternoon to call the attention of the House to statements made in the letter written by himself (Mr. Newdegate) in reply to one from Dr. Ullathorne which had been published; but, as it was impossible for him then to be present on that afternoon in his place, the matter stood over till the present occasion. He was glad the House had now afforded the hon. Member for the King's County the opportunity of stating the offence he fancied had been committed. In reply to his Question he must first refer to the letter of Dr. Ullathorne. Dr. Ullathorne claimed to be a bishop of the Roman Catholic Church exercising jurisdiction in Warwickshire; he called himself Bishop of Birminghan, thereby offending against the Ecclesiastical Titles Act. He (Mr. Newedgate) must be excused for not having addresed Dr. Ullathorne by an illegal title, which did not belong to him. Dr. Ullathorne had thought fit in his letter to deny, in the most explicit terms, statements which he (Mr. Newdegate) had made in bringing forward his Motion for an inquiry respecting monasteries and convents. He did not choose that Dr. Ullathorne, as a resident in Birmingham, should circulate allegations of falsehood against him in the district which he had the honour to represent, he had therefore replied in the letter from which the hon. Member for the King's County had read an extract. He extremely regretted that, in the copy of the letter from which the hon. Member had quoted, there was an error which was an error of the copyist. The passage as it ought to stand was in the following terms:—

> "When I stated these facts as connected with this convent in the debate in 1853 the facts were

> denied by some Roman Catholic Members in the House, but the impression produced by the statement of them, taken together with the other facts at that time alleged, was such that these denials could have had but little weight with the House; for the majority seemed to think, with the late Mr. Drummond, that the power of denial on the part of the Roman Catholic Members of the House was on these subjects so wonderful, that the House decided to consider a measure for testing these denials by the establishment of an inspection of convents."

The House would perceive that reference was there made exclusively to the debate of 1853, and in vindication of the statement he would quote one or two passages from *Hansard's* Report of the debate of 1853. The Motion before the House on that occasion was one by Mr. Thomas Chambers for leave to introduce a Bill for the inspection of convents, and one of the cases connected with this subject which attracted most attention at the time, was that of Miss Talbot, a relative of Mr. Craven Berkeley, then a Member of the House. She was a postulant at a convent near Bristol, and Mr. Berkeley having applied for permission to see his stepdaughter was refused the necessary permission, unless the interview took place in the presence of the Superioress. In the course of the debate on that Motion of Mr. Chambers the following passages occurred. Mr. Craven Berkeley said—

> "Not only was it the fact that in the convents of England a lady having once taken the veil was prevented from seeing her friends unless in the presence of the Superior or lady abbess. [Sir George Bowyer: No, no!] The hon. and learned Gentleman might cry 'No, no;' but no amount of contradiction could alter a fact of which he (Mr. C. Berkeley) had personal cognizance. It had happened to himself, in his own person, to be refused an interview, except under such circumstances as he was stating. He had been refused permission to see his nearest and dearest relative in a convent, unless in presence of the Superioress. That was not alone the case with ladies who had taken the veil, but also with postulants, or persons who took the white veil before taking the black."—[3 *Hansard*, cxxvii. 96.]

The late Mr. Drummond subsequently, but in the same debate, said—

> "Hon. Gentlemen opposite might dissent from that opinion; the power of denial in some hon. Gentlemen was most marvellous; and the only way in which he could account for it was by supposing that Dr. Wiseman was correct when he stated in a recent number of the *Dublin Review* that Catholic laymen knew very much better than to read books they had no business to read. They were not allowed to know anything about the matter—not allowed—not allowed."—[3 *Hansard*, cxxvii. 118.]

He cited these two passages to show the House that, notwithstanding the flat denials given by the hon. Member for Dundalk (Sir George Bowyer) and other Members of the Roman Catholic persuasion to the facts alleged in support of the Bill for the Inspection of Nunneries, and to his references to the attempt made by a nun to escape from the convent at Atherstone, the House felt that that course of proceeding was not right, and thought proper to sanction the introduction of the Bill. These were historical facts; and he had reason to believe that if the House had consented to have the facts he had recently adduced tested by a Committee it would have been proved that the denial of them was worth as little on the part of Dr. Ullathorne as the denials given to the statements made during the debate of 1853. The hon. Member (Mr. Hennessy) said something about the want of courage on his part in attacking ladies and ecclesiastics; but did the hon. Member ever know him shrink from defending statements he had made in that House? What he thought it his duty to assert he would defend whenever called upon to do so. As Dr. Ullathorne had been alluded to, he begged to remind the House that he had singled him out by name because Dr. Ullathorne in his own letter claimed to be the Superior—that is, the governor, of all the three convents he (Mr. Newdegate) had named. He therefore held Dr. Ullathorne when speaking on his Motion of the 3rd of that month, and he still held him responsible for any oppression that might have been practised in these convents by forcing back these unhappy ladies after their attempts to escape, first from the convent at Atherstone, and next from the convent at Colwich. It was only yesterday that he received a letter from Mr. Ritchings, the Protestant clergyman of Atherstone, supporting his statement by reference to a conversation between himself and Mr. Oxley, the priest resident at Atherstone Convent at the time that the attempt to escape was made. Mr. Oxley told him, yes, there was one inmate of that convent who was so troublesome (referring to the attempt to escape) that they were compelled to remove her elsewhere—he (Mr. Newdegate) knew not where. Yet here was Mr. Ritchings ready to support the statement that Dr. Ullathorne had flatly denied, upon the admissions of the Roman Catholic priest in charge of this very community at the time of the attempted escape. This was part of the evidence which he (Mr. Newdegate) would have produced before the Committee had it been granted. These were some of the witnesses; but Dr. Ullathorne, in his letter, manifested the most extraordinary knowledge of the body of the sworn evidence that he (Mr. Newdegate) did not produce in the case of the escape from Colwich. In his first letter, he talked of nuns confined in chains; and it was true that something to that effect was in the evidence from which he had read extracts, but he had never stated his portion of the evidence. How came Dr. Ullathorne to be acquainted with that part which he (Mr. Newdegate) had not stated in the House? As far as he knew neither the narrative from which he had quoted on the 3rd of March, nor the affidavits upon which it was founded, was ever brought within that Doctor's knowledge, yet he was perfectly conversant with the facts; and he (Mr. Newdegate) could only attribute his denials of sworn evidence to this circumstance—that any one who knew anything of the organization of the Roman Catholic Church, as regarded the charge of convents, knew that Dr. Ullathorne, as Superior of these convents, was under sworn obligation to maintain inviolate the secrets of these convents, and to resist all attempts of unwilling nuns to leave the convents in which they were confined except *permissu superiorum*, of whom he was a part; and therefore he thought that by propagating a misunderstanding of the facts among the public, and by flat denials of sworn testimony, he was performing his duty to a power superior to the laws of this country; which it was his (Mr. Newdegate's) duty, not only as a Member of that House, but also as a magistrate acting within the county which he had the honour to represent to see administered. Dr. Ullathorne might think it his duty to incarcerate those ladies against their will; but as a magistrate it was his (Mr. Newdegate's) duty within the sphere of his jurisdiction to seek information of all cases of false imprisonment, and of all undue severities of discipline; for false imprisonment was an offence against the laws of this country, and these undue severities constituted aggravated assaults which he should be wanting in his duty if he did not seek to prevent and detect, he should be wanting in his duty if he did not seek to bring before the proper tribunals the authors and perpetrators of these offences. As there was a conflict between the sense of duty that influenced Dr. Ullathorne, and that which influenced himself, he would only add that he regretted that any minister of religion should venture upon a flat denial of sworn evidence; the more so because while uttering these denials Dr. Ullathorne had shown a complete knowledge not only of those parts which had been quoted in the House, but of the remaining part, which he (Mr. Newdegate) had never mentioned.

The O'DONOGHUE thought that the hon. Member for the King's County was entitled to much credit for affording to the hon. Member for North Warwickshire an opportunity to express his regret for what had taken place, and to promise to be more careful in future. If the hon. Member had not thought fit to avail himself of the opportunity, that was his own fault. Having had considerable opportunities of watching the hon. Member, he had watched his movements with peculiar interest, and yet he had never been able to decide, notwithstanding the extreme gravity of the hon. Member's demeanour, whether he really believed the stories he told about the Jesuits or about the convents, when making his ridiculous attacks on that system. If the hon. Member did, then his case was really alarming; but he had often thought that the hon. Member would, after some of his gravest speeches, rush into some lonely place, and enjoy a hearty laugh. What was the position of the hon. Member at the end of so many years during which he had been telling the House that inquiry was his object, and that his great attempt was to see with his own eyes those locks, bolts, and bars behind which he had tried to persuade people, if not by assertion, at least by insinuation, that some hapless ladies were confined? The hon. Member asked for a mode of inquiry which he knew he could not obtain, and refused that mode of inquiry which he could obtain, and which he ought to have accepted if he were sincere, and if the welfare of the inmates of convents was really the object he had in view. The House refused to grant the hon. Member his Committee for sufficient reasons. One was that there was no ground for a Committee; and the other was that the appointment of a Committee and its proceedings would only tend to perpetuate religious discords, which it was the interest and wish of the House to terminate. The Bishop of Birmingham had not been treated with ordinary courtesy by the hon. Member. Dr.

Ullathorne gave the hon. Member full permission to enter his convents and bring with him Protestant gentlemen of recognized honesty and integrity. If the hon. Member had availed himself of this permission, he would have found no locks, bolts, and bars in these convents, except such as were used to keep out thieves, vagabonds, and spies; but he would have discovered that the convents were the abodes of peace and charity. But this mode of inquiry would not suit the hon. Member for reasons which all could comprehend. The hon. Member was too good a tactician not to know that an inquiry so conducted in the presence of honourable men would not fail to put an end to all false charges. Then, the hon. Gentleman had the hardihood to take the Roman Catholic Members of that House to task for not assisting him to obtain a Committee which could only prove a source of inconvenience and annoyance to the inmates of convents, and which, perhaps, in addition, might gratify the morbid suspicions of certain persons whom the hon. Gentleman was doing his best to delude. Perhaps it was too much to expect that the hon. Gentleman would desist from worrying the inmates of convents, or to hope that he would allow them to quietly pursue those pious lives which they had selected—lives devoted to prayer and to the good of their fellow-creatures. But it was not too much to expect, after what had passed, after the hon. Member had refused the inquiry which had been offered him, and which every hon. Member must feel was amply sufficient to satisfy any sincere and reasonable man, that the House and the country would know how to estimate the statements which the hon. Gentleman might think fit in future to make with reference to convents.

Mr. NEWDEGATE rose to reply, but was stopped by cries of "Order."

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY.

Supply *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Wednesday.*

WAYS AND MEANS.

Ways and Means—*Considered* in Committee.

(In the Committee.)

Resolved, That, towards making good the supply granted to Her Majesty, for the service of the year ending the 31st day of March 1865, the sum of £175,650 be granted out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

House *resumed.*

Resolution to be reported *To-morrow;* Committee to sit again on *Wednesday.*

METROPOLITAN MAIN DRAINAGE [GUARANTEE OF REPAYMENT OF MONEY] BILL.

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to empower the Commissioners of Her Majesty's Treasury to guarantee the repayment of any money that may be borrowed under the provisions of any Act of the present Session for extending the period for borrowing money under "The Main Drainage Extension Act, 1863," with the interest thereon.

House *resumed.*

Resolution to be reported *To-morrow.*

JUSTICES OF THE PEACE (DISCRETIONARY POWERS) BILL.

On Motion of Sir Charles Douglas, Bill to amend and define certain Discretionary Powers of Justices of the Peace, *ordered* to be brought in by Sir Charles Douglas and Mr. Henry Fenwick.

Bill *presented,* and read 1°. [Bill 69.]

JUDGMENTS (IRELAND) BILL.

On Motion of Mr. Whiteside, Bill to amend the Law relating to future Judgments in Ireland, and to assimilate it to the Law relating to Judgments in England, *ordered* to be brought in by Mr. Whiteside and Mr. George.

Bill *presented,* and read 1°. [Bill 68.]

COUNTY VOTERS REGISTRATION (IRELAND) BILL.

On Motion of Sir Robert Peel, Bill further to amend the Laws regulating the Registration of Parliamentary Voters in Counties in Ireland, *ordered* to be brought in by Sir Robert Peel, and Sir Colman O'Loghlen.

Bill *presented,* and read 1°. [Bill 70.]

PRISONS BILL.

Select Committee on the Prisons Bill *nominated:*—Sir George Grey, Mr. Adderley, Mr. Beach, Mr. Henley, Mr. Hibbert, Mr. Hardy, Mr. Hanbury, Lord Edward Howard, Mr. Hunt, Sir William Miles, Sir John Pakington, Mr. Joseph Ewart, Mr. Walter, Mr. Perry Watlington, and Mr. Whitbread:—Power to send for papers and records:—Five to be the quorum.

SEWAGE UTILIZATION BILL.

Select Committee on the Sewage Utilization Bill, *nominated:*—Lord Robert Montagu, Mr. Cowper, The Lord Advocate, Sir Colman O'Loghlen, Sir Matthew Ridley, Mr. Bright, Mr. Crum-Ewing, Mr. Hibbert, Sir FitzRoy Kelly, Sir James Fergusson, Mr. Longfield, Mr. Locke King, Mr. Selwyn, Mr. Gore Langton, and Mr. Leader:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at half after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, March 14, 1865.

MINUTES.] — Public Bills — *First Reading* —Affirmations (Scotland) * (37).

Referred to Select Committee—Bankruptcy and Insolvency (Ireland) Act Amendment * (20).

Committee — British Kaffraria * (27); Election Petitions Act (1848) Amendment * (21).

Report—British Kaffraria * (9).

BANKRUPTCY AND INSOLVENCY (IRELAND) ACT AMENDMENT BILL.

(No. 20).

BILL REFERRED TO SELECT COMMITTEE.

On Order of the Day for the House to be put into Committee,

The Earl of ST. GERMANS said, that he rose to move that the Order of the Day be discharged, and the Bill referred to a Select Committee, not because its provisions were such as could not be conveniently discussed in a Committee of the whole House, but because some of his noble Friends considered that it would have a retrospective action.

The Marquess of CLANRICARDE expressed his regret at the course taken by the noble Earl, inasmuch as the measure was one which ought to be passed without delay. The omission in the Act of 1857 which it was sought to remedy was, he contended, of a purely accidental character, and he was surprised that the noble Earl whom he saw opposite (the Earl of Donoughmore) should have objected to the Bill on a former occasion on the ground that it would operate retrospectively, seeing the course which had been taken in 1849, when it was declared that no railway company should come under the operation of the Winding-up Act. If the law of Ireland were not placed upon the same footing as that of England, every man in Ireland would be made discontented, and that with good and sufficient cause; and a more serious blow would be struck at the prosperity and progress of the country than had been aimed at it by any Ministry either before or since the Union. He did not doubt that if the Bill went to a Select Committee it would eventually pass, but he hoped no time would be lost in proceeding with it.

The Earl of DONOUGHMORE admitted that the present state of the law had arisen in consequence of a mistake in the Act of 1857; but that in no way affected the argument. There were creditors who, in the present state of the law, had certain rights, on the faith of which they had become creditors, and those rights must be respected. He had been informed that there was one gentleman who was a creditor of a railway company for £25,000, and who stated that before he entered into the contract under which that debt had arisen he took legal advice, and was told that not only had he the remedy of making the company bankrupt, but very probably he might also call upon the shareholders' individually and collectively, to make good the debt. If the House assented to this *ex post facto* legislation he would lose that remedy. He was willing, nay anxious, to restore the law to the condition which existed before the Act of 1857, and all that he desired was that no injustice should be done to existing creditors who had made their contracts on the faith of an Act of Parliament.

Motion *agreed to*.

And, on *Thursday* next, March 16, the Lords following were named of the Committee:—

Ld. Chancellor.	L. Somerhill.
Ld. Steward.	L. Chaworth.
E. Belmore.	L. Cranworth.
V. Hutchinson.	L. Belper.
L. Boyle.	L. Chelmsford.
L. Silchester.	

CASE OF MARY RYAN.

OBSERVATIONS.

The Marquess of WESTMEATH, in calling the attention of the House to the Papers presented in the case of Mary Ryan, said, that as the case was one of a poor Irishwoman who had been most oppressively and illegally dealt with, he felt it to be his duty to bring it under their Lordships' notice. But he must, in the first place, bring to their Lordships' notice that the Order for the production of the papers was that "all the papers" should be produced; and he should show that that Order had not only not been obeyed, but that many documents necessary to an understanding of the case had been withheld, and improperly withheld. The case was brought to the notice of persons who were on the pier at Dover on the night of the 7th of September. A young woman was forced down the pier by a man and two nuns. The attention of the narrator was attracted by a loud scream. When arrived at the landing place, she was taken from those who had her in durance by a man in the employ of the agent of the

Belgian Mail Packet, who carried her on board. She said nothing until arriving on the deck of the steamer, when she cried out "Mamma, mamma" two or three times, and screamed. This man says he had great difficulty in carrying her, and that her legs were tied, and she had a straight-jacket on. By the papers which had been laid upon the table, it appeared that while the train which conveyed these persons from London to Dover was on the road she was heard screaming, crying out to be rescued, shrieking "murder," and screaming out "Mamma, mamma." It appeared that the train, being an express, made but few stoppages; but on one occasion, when it was at rest, one of the guards went to the window of the compartment where she was, when he found the blinds pulled down, and on inquiring what was the matter was told "Nothing." At the Dover Station, one of the railway porters, on opening the carriage door, was asked by one of the women, dressed as a Sister of Mercy, to assist the invalid out. She was holding the arm-rest of her seat, and calling out "don't let me go" and "murder." It was assumed that the young woman was mad—it was so stated by the persons who professed to have charge of her. The matter was originally brought before the public through the means of the public press. There was a letter among the papers from a Mr. Ashwin, who appeared to have been present at an early stage of this business, who, while passing through the streets of London, saw this young woman forced into a cab by a man and some women. Not liking the appearance of the transaction he inquired of a man in dark clothes, standing at the window of the cab, what was the matter? He said it was "fever." He replied that it was no fever. However, they pulled the window up and told the cabman to drive on; and one man who assisted in putting the young woman into the carriage, went to the opposite house, which turned out to be an abode of "nuns" or Sisters of Charity." This was the unfortunate person who was found at Dover. It appeared that she was taken over to Bruges, and there placed in an asylum, which the persons concerned in the early part of the transactions stated was a house especially devoted to the reception of nuns who had become insane, there being no house in England specially adapted for her reception. There was then a letter from Dr. Millar, described as Medical Superintendent of Bethnal House, stating that he had been called in to see a nun, whom he found labouring under an attack of mania of recent duration. He would be able to prove that this was all a conspiracy got up by a gentleman—and he begged to call the attention of the House to this—calling himself the Vicar General of Westminster and D.D. This person associated himself with a doctor, who was stated to have given a certificate to justify the removal. Under the Lunacy Act, unless a certificate was given, such removal could not, at least ought not, to be made. However, this doctor, and two nuns, and this Vicar General, came to a resolution that the young woman was insane; and, on their authority, without any certificate, this poor person was forcibly removed to a foreign lunatic asylum, at Bruges, where, being an Irishwoman, and not speaking French, she would, of course, be incapable of communicating with those around her. In reference to his statement that all the papers relating to this subject had not been produced, the noble Marquess proceeded to read two letters from the Secretary of the Protestant Alliance, Sergeant's Inn, Fleet Street, addressed to the noble Earl the Secretary of State for Foreign Affairs, giving a statement of the circumstances of this affair as far as they had come to light, and concluding with a prayer that his Lordship would cause inquiry to be made into these allegations. These letters had not been included in the papers produced to Parliament. The most serious part of the case was the conduct of the right hon. Gentleman the Secretary of State for the Home Department. He stated that he had taken the opinion of the Law Officers of the Crown, and they told him that the removal of a British subject to a foreign country under the circumstances was illegal; and yet the right hon. Baronet, though he admitted their conduct to be illegal, refused to prosecute the guilty parties. Of all the instances of official presumption of which he had ever heard or read this was the most remarkable. He had taken upon himself to dispense with the law, and denied a British subject, who was expatriated under circumstances of the greatest harshness and cruelty, the protection to which she was entitled. Considering the treatment she received, it was not wonderful if she became rapidly insane. And yet Sir George Grey tried to shelve the matter. The whole case was abominable, and he trusted that something would be done to prevent the Home Secretary in future from having it in his power to say whether the law was to be carried out or not, and steps ought to be taken to bring this poor young woman back to England, to teach the Home Secretary that the law must be carried into effect.

EARL RUSSELL said, he would endeavour to explain some of the points on which the noble Marquess had touched. As to his complaint that the papers before the House were not in the form ordered by the Minute of the House, he could only say that he had consented to the Motion of his noble Friend for the production of the papers only in the shape of copies and extracts of all official correspondence relating to the abduction of the nun Mary Ryan. The Motion was put into that shape, and in that shape it was agreed to. With regard to the general question, it divided itself into two parts. The first related to the practice, which it appeared from these papers was not an uncommon one, of conventual establishments in this country, when a nun became insane, sending her away to an establishment for lunatics abroad instead of relieving her at home. The Law Officers of the Crown had been consulted on that practice, and they had declared that it was entirely illegal. No doubt, by the exercise of such a power unknown to any law and wholly unsanctioned by any Judge, great abuses might occur. In the instance now before them every facility had been given to the Consular authorities and a Lunacy Commissioner to sift the matter to the bottom; but a case might occur of a person being carried away by force into a foreign country who was not really insane, and his friends might be refused admission to him. Therefore, the practice was not only illegal, but dangerous to the liberty of the subject. For this reason he had asked his right hon. Friend the Home Secretary to inform the directors of this conventual establishment that such a practice of removal was entirely illegal, and we might presume that persons placed in such a position would take care that such things did not occur again. With regard to this particular case it appeared that Dr. Millar, who was the medical superintendent of the lunatic asylum at Bethnal Green, had been asked to see this person and inquire into her mental condition. He found her suffering from acute mania; and she was afterwards removed over the sea in the illegal manner described, not by the authority of Dr. Millar or any properly constituted authority, and placed in an asylum at Bruges. Inquiry was made at the desire of the Secretary of State, and the British Minister at Brussels examined into the case and found that the asylum in which she had been placed was a well-conducted one. The medical authorities at Bruges were of opinion that this young woman was suffering from disease of the intellectual faculties. The British Consul also visited the place, and found the establishment to be a well-conducted one, and that Mary Ryan was apparently suffering from mental disease. The Secretary of State for the Home Department desired one of the Commissioners of Lunacy, Mr. Wilkes, to visit Bruges; and that Gentleman reported that he found the young woman had been labouring under a very acute attack of mania when she was removed from this country, and that after her voyage across to Belgium and arrival at the asylum she was, owing to her refusal to take food, in a very exhausted condition, which at one time caused apprehensions for her life. He also stated that in his opinion she required to be taken great care of because she was suffering from melancholia, with a suicidal tendency. The question was, what was to be done in the case? The Home Secretary having ascertained all the facts, and having found that the young woman really was insane at the time of her removal, that she was placed in an asylum where she was well cared for, it became necessary to consider whether steps should be taken to bring her back to this country. His right hon. Friend was of opinion that the law had been broken, but he did not consider it to be his duty to prosecute the parties. The Law Officers of the Crown were consulted, and they were of opinion that the conduct of the persons who removed Mary Ryan was illegal, but they did not think that there was any necessity for a prosecution. Then came the question whether steps should be taken immediately to remove the young woman back to this country. The Belgian authorities were quite willing to hand her over to any agent of the British Government. Neither he nor his right hon. Friend thought it was necessary for the vindication of the law to bring over this poor girl at the risk of exposing her to an access of frenzy, but that it would be better to wait to see whether there was a chance of recovery. Inquiries were made in Ireland, and it was found that the girl had no parents living nor any near relatives who could take charge of her. Those were the steps which the Government had taken in the matter, and he thought it would be agreed that they could not have done more under the circumstances. At the same time he must remark that it appeared to him to be a singular thing that the Roman Catholics of this country and Ireland, forming a body possessing great property, seeing that the inmates of convents were as liable to attacks of insanity as the rest of the community, should not have provided an asylum for the reception of such persons—an asylum in Her Majesty's dominions, which could be certificated and duly authorized by law. He had mentioned the subject to a Roman Catholic friend, and he hoped that some steps would be taken to provide such an asylum.

The Earl of MALMESBURY thought that it was impossible after reading these papers to have any doubt as to two points—first, that Mary Ryan was insane; and secondly, that the Government had done all they could to investigate the case. But he did not think that this acquitted entirely the Home Secretary from blame. He did not say anything against the proceedings of the noble Earl (Earl Russell), who seemed to have done his duty in ascertaining all the facts; but he did not acquit the Home Secretary of having treated the matter somewhat too lightly. The noble Earl did not speak one atom too strongly upon the great importance of protecting British subjects from accidents of this kind. He (the Earl of Malmesbury) did not attribute any improper motives to the lady at the head of this convent in sending this young woman abroad, for no doubt she acted in ignorance of the law—nothing was more natural than that there should be this ignorance of the law in such establishments where the inmates led a life of seclusion; but then they ought to be taught the law, and the Home Secretary ought to teach the law not only to the head of this particular convent, but to the heads of the numerous other similar establishments in this country. Now, what was the way in which this could be done? It could not be done by private communications to the offending party; and if some one had not moved for these papers this case would not have been known of at all, and the heads of these convents would have remained in ignorance of the law, and we should have been exposed to similar breaches of it in future. He had himself thought it his duty to give notice of a Motion in reference to a similar case—not, indeed, connected with any convent, but arising from an illegal order of a magistrate, by which an unfortunate man had been confined in a lunatic asylum for five days, at the end of which time he obtained his release upon the certificate of two other magistrates and two physicians that he was perfectly sane. It should be impossible that such things should happen in this country. We had every sort of machinery to prevent such accidents occurring; but one of the best ways of preventing a repetition of such things was for the Secretary of the Home Department when he could—even when in his discretion he should not think it right to prosecute—to publicly remonstrate with the particular Superior or other person in authority in order to teach them the law. But when it was done in this private manner there was no protection whatever for the future.

LEONARD EDMUNDS, ESQUIRE.

Select Committee on the Resignation of certain Offices by; and on the Pension granted to him by this House: Ordered, That the Witnesses before the said Committee be examined on Oath; and that the Evidence taken from Time to Time before the said Committee be *printed* for the Use of the Members of this House, but no Copies thereof to be delivered, except to the Members of the Committee, until further Order. (No. 30.)

House adjourned at a quarter before
Seven o'clock, till Thursday next,
half past Ten o'clock.

* * *

HOUSE OF COMMONS,

Tuesday, March 14, 1865.

MINUTES.]—Select Committee — On Education *nominated* * (See p. 926.)

Supply—*Considered in Committee.*

Ways and Means — Resolution [March 13] *reported.*

Public Bills—*Resolution* [March 13] *reported;* Metropolitan Main Drainage [Guarantee of Repayment of Money.]

Ordered — £175,650 Consolidated Fund *; Metropolitan Main Drainage.*

First Reading—Consolidated Fund (£175,650) *; Metropolitan Main Drainage Extension * [73.]

Report of Select Committee — Mortgage Debentures * [125.]

Committee—Perth Provisional Order Confirmation * [61.]

Report—Courts of Justice Concentration (Site) * [71, 124] and *re-com.*; Mortgage Debentures * [72] and *re-com.*; Perth Provisional Order Confirmation * [61.]

LANCASHIRE AND YORKSHIRE AND GREAT EASTERN JUNCTION RAILWAY BILL—*(by Order.)*

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

VISCOUNT GALWAY said, that this Bill was not only opposed by the landowners, but also by the Great Northern Railway. The measure was virtually the same that had been rejected by a Committee upstairs last Session, and he thought that whenever two railway companies had had a fair stand-up fight, at an expense to each so enormous as to be scarcely credible, it was most unfair and unjust for the beaten company to bring forward an almost identical scheme next Session. No doubt the route proposed was not exactly the same. The object of the Bill of last year was said to be to convey coals more cheaply, and many Members were influenced in its favour by an undertaking on the part of the Great Eastern Company, which promoted it, to carry coals at a farthing per ton. That was entirely left out of the present Bill, and several clauses put in by the Committee were now omitted. The Great Northern had been for years and were now carrying coal at half the rates now proposed. The Committee of last Session sat twenty-five days, and nearly killed its Chairman; but it decided almost, if not quite unanimously, in favour of the Great Northern Railway. That company were now making a line to supply the missing link, being the termination of their loop-line, which went directly into the coal field. It was unjust to bring in the present scheme, at all events until the effect of the new line had been tried. He believed that it would so relieve the main line of the Great Northern of their coal traffic as to enable them to carry any amount of coal that might be put upon the line. The Great Eastern shares were only at 47, yet they came down to fight the Great Northern again upon a project that would, in all probability, be thrown out. He moved that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Viscount Galway.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. CHEETHAM contended that the Bill was not identical with that thrown out last Session, which was an independent line, and did not connect the Great Eastern on the one hand and the Lancashire and Yorkshire on the other, as was proposed by the present Bill. Instead of being in the hands of three companies, like the scheme of last Session, it would be only one main line of 113 miles in length, and bringing the large district served by the Lancashire and Yorkshire Railway into direct communication with the Eastern Counties. The capital of these two companies amounted to £40,000,000, and their lines extended over 1,000 miles. There was, therefore, every assurance that the line would be economically made and carefully conducted. How was coal obtained at present in the eastern counties? It had to come by the Great Northern to Peterborough, and the expense sometimes prevented it from being laid down in the districts of the Eastern Counties Railway. The eastern part of London was without any great coal depôt in connection with the coal brought by railway. From an official account of the quantity of coal brought to London, it appeared that in 1854 the proportion brought by sea was 78 per cent, and by rail 22 per cent. But in 1864 the supply brought by sea was only 58 per cent, while that brought by railway had increased to 42 per cent. The conveyance of coal by railway was thus seen to be steadily increasing, and it was of the greatest importance that this necessary of life should be conveyed as economically as possible to the 600,000 persons in the east of London, whose dwellings surrounded the London station of the Eastern Counties Railway. In 1854 the total quantity of coals brought into London was 4,344,000 tons, and in 1855, it was 5,655,000 tons. He believed that the reduction in the price of fuel alone would justify the House in passing this Bill. The noble Lord admitted that he appeared before the House as the advocate of the Great Northern Railway. When he (Mr. Cheetham) last had the honour of a seat in Parliament, he promoted the Bill giving the Great Northern an access into Lancashire. It was opposed by the North Western on the ground of injury to their traffic and the value of their property. But what had been the result? Parliament had granted the opening of the communication to the Great Northern, yet the traffic of the North

Western had since increased so enormously that the line was almost inadequate to its conveyance. The Great Northern line had been a public benefit to the people of Lancashire, and the present Bill would equally benefit the public without injury to any existing lines. He trusted that the House would send the Bill to be examined upon its merits by a Select Committee, and by their decision the promoters of the Bill would cheerfully abide.

Mr. MITFORD, having been a Member of the much-abused Committee of last Session, wished to say that it sat five or six weeks. The Chairman was sometimes carried from his bed to the Committee Room, and from the Committee-room back to his bed. About 11,000 questions were asked during the inquiry, and the walls and tables were covered with maps of the country. As the statement of his noble Friend (Viscount Galway) had been disputed by the hon. Member for Salford, he might say that he had been at the pains to compare the present Bill with that of last year, and that, in his opinion, it was virtually and substantially the same Bill. It was brought in, it was true, under a different name. Last Session it was called the "Great Eastern Northern Junction," but now it was the "Lancashire and Yorkshire and Great Eastern Junction Railway Bill." The Great Eastern Company had done well to put their friends into the foreground, but how the junction with the Lancashire and Yorkshire line was to make this a good Bill, it puzzled him to know. The Great Northern Railway had pledged itself to the Committee last year to lay out £1,000,000 to fill up the district. The other House had required the same pledges and they could not get rid of them; and these new lines, with one exception, received last Session the sanction of Parliament. It would therefore be a manifest wrong to admit the competition which the House had refused to permit last year, and for which they were charged with these responsibilities. The purity of the motives of the Committee had been impugned by several authorities, and particularly by a Yorkshire newspaper, in terms which he was sure would induce the hon. Member opposite, though so greatly opposed to corporal punishments, to agree with him (Mr. Mitford) richly entitled the writer to be flogged half-a-dozen times round Westminster Hall. All sorts of motives had been most unjustifiably attributed to them. The fact was that they had paid the greatest attention to the subject, and decided upon the evidence brought before them. It was alleged that if the Bill of last Session were passed coals would be brought into London 2*s.* or 3*s.* a ton cheaper than at present, but evidence to substantiate this allegation was not forthcoming. Canvassing on this subject had gone on to a frightful extent. Before going to a division, he would beg hon. Members to ask themselves two questions—first, was it desirable to support the decisions of their Committees? and secondly, was there anything special in this case which should induce the House to reverse the decision of the Committee of last year?

Mr. CHILDERS asked the House to allow this Bill to go to a Committee, not on any personal grounds, for he was not interested in any railway, but solely on behalf of the people of the West Riding of Yorkshire, who had petitioned the House unanimously in support of the Bill, and who asked no more than that the Bill should be fairly considered. They stated that if a man wished to go to Exeter, Birmingham, or Lancashire he had two routes to choose between, but if he wanted to go from London to Yorkshire he had practically but one. They further alleged that the Great Northern was itself the child of competition; that it had itself been rejected once or twice, and ought not, therefore, to come down to this House to oppose the present measure. If the shares of the company to which the noble Lord had alluded were only at 46½, he would remind the House in what position those of the Great Northern were until it had attained its present high place by doing its duty; and if the House did its duty now, he hoped the Great Eastern would be yet in the same position as the Great Northern. It had been said that there were not special regulations in this Bill which the Bill of last year contained, but it would be seen from the shorthand writer's notes that the Bill of last year was rejected because it contained those very provisions. [The hon. Gentleman then read an extract from the shorthand writer's notes to the effect that the Chairman of the Committee objected to the Bill on the ground that as the gradients were so favourable that it was proposed to carry coals at a farthing the ton, it would not be fair to other companies who had not got the same gradients.]

Mr. E. C. EGERTON opposed the Motion for the second reading on the ground that it was not in accordance with the usage of the House to read a Bill a second time which had been once rejected. He believed there was no instance in which the House had approved of a railway scheme after they had in the preceding Session sanctioned a competing project, and had by that determination induced the successful parties to incur a considerable outlay. There was a case in point last year, but the position of the Great Northern now was much stronger, as they were now laying out a million of money in consequence of the Acts passed last year. Last year the late Chairman of Committees (Mr. Massey) had said that the weight of evidence was against the future progress of the Bill, that the promoters had been recently heard, that the district was in the hands of a public company, and that it was an abuse of the patience of the House to bring the subject forward. As a director of the Great Northern he could say that every facility had been offered by the company for the carrying of goods and passengers southward. The House, anxious to put an end to vexatious interference with property, ought to pause before sanctioning such a scheme as this.

MR. BRIGHT said, he believed the hon. Gentleman who had last spoken was a director of the Great Northern. Of course, anything the hon. Gentleman said was entitled to weight, but it should be taken with the understanding that he was a director. He had nothing to do with any of these railways, nor, indeed, had he any pecuniary interest in any railway in the kingdom; but the House was asked to reject this Bill, he thought, on a very insufficient ground,—namely, that it had been once rejected by a Committee of that House. He believed that that had been about the fate of nearly every great Railway Bill, but the very fact that the Bill was brought a second time to that House was at least some evidence to show that there were parties who considered the subject of sufficient importance as to induce them to take this matter up, and they were anxious that this Bill should be carried. It was very well known that the parties who were supporting this Bill were not entirely those who supported the Bill last year. At one end of the line there was a company with 400 miles of railway and an expenditure of £20,000,000, and at the other end a company with 600 miles of railway and £20,000,000 of expenditure, and they desired that both those great companies should have facilities for carrying their traffic from one point of the country to the other. It was really too bad that at this time of day they should hear of the question of protection to the Great Northern Company. If that argument had been listened to he supposed that they should not have now more than two or three long lines of railway throughout the country. He had not heard a single argument, and he did not think that one could be offered to the House, which would justify it in rejecting this Bill, which came before them with admirable gradients and the promoters of which offered to take coals to the metropolis at so low a price. If the House would send the Bill to a Committee the promoters would have no objection to the Committee inserting the same clause, as were in the Bill of last year, and he had it on the best authority that they were induced to leave out these clauses in consequence of some observations which fell from the Chairman of the Committee which inquired into the Bill of last year. He (Mr. Bright) was sorry that that hon. Gentleman who some years ago was rather favourable to free trade, although he sat amongst Protectionists, should in regard to railways seem to have gone back to his old love of Protection. He hoped the House would give the promoters of this great measure a chance of having it fairly considered before an impartial Committee.

MR. BANKS STANHOPE said, that like the hon. Member for Birmingham, he had nothing to do with the Great Northern or the Great Eastern, but he appeared there on behalf of a very large body of people who happened to be concerned in the navigation of the river Trent, with which, if this Bill passed, it would seriously interfere. The navigation above Gainsborough was carried on by small vessels, but below the town large foreign vessels came in, and it had been proved that the existence of a bridge, which by this Bill it was proposed to make, would totally put an end to the navigation of the Trent. He would appeal to the President of the Board of Trade upon this subject, to whom the people would look for the preservation of the navigation of the rivers of England. It might be said that these were points for the Committee to decide; but, unless a clear case of public necessity could be shown by any line, the promoters had no right to subject those who would be injured to the necessity, at great expense, of defending their interests against two powerful companies. He urged the House not to destroy private property and ancient navigation for a line as to which no public necessity could be shown.

Mr. AYRTON said, he cared nothing for these rival railway companies, but wished to say a word for the great manufacturing interests and the private coal consumers of the eastern districts of London, who would be largely benefited by the passing of this Bill. They at present paid more for coal than any other persons, and they were subjected to a coal tax beside. Surely, then, if by any contrivance of art or science coal could be cheapened in London, it was the right of the consumers that this subject should be fully inquired into. No doubt, the Committee of last year had decided according to their lights, but was their decision to be final? When such great interests were involved, he hoped that their decision would not be considered final, and that the House would not reject a measure which was regarded throughout the metropolis as of great importance, but allow it to be inquired into by a Committee up stairs.

Mr. MILNER GIBSON said, that the hon. Member opposite (Mr. Banks Stanhope), had asked for his opinion as to the mode in which that line would effect the navigation of the Trent. In answer to that appeal he had, in the first place, to observe that the jurisdiction of the Board of Trade upon matters of that description was limited and clearly defined. When any work was proposed which in their opinion would interfere with our internal navigation, it was their duty to inquire into the subject, to lay their Report before the House, and the Report was referred to the Committee on the Bill. If the present Bill were to go before a Committee they would follow that course, and report frankly and unreservedly to the Committee; but he did not think it was any part of his duty to give an opinion beforehand in reference to the merits of the scheme. The whole question could only be properly considered by a Select Committee; and he should, therefore, vote for the second reading of the Bill.

Mr. W. ORMSBY GORE said, that the Committee of last year, of which he was a Member, sat for twenty-five days, and came to a unanimous decision, rejecting the scheme, and it had met with a similar fate in the House of Lords. The expressions of the Chairman, which had been quoted, did not contain the reasons upon which that decision was given. Last year the promoters of the Bill came forward with a plausible proposal to carry coals at a farthing a ton; but, as the clause was now omitted, the company came to Parliament with a worse grace this year. He felt satisfied that if the Bill went before fifty Committees they would all come to the same conclusion.

Viscount BURY wished to say a few words on behalf of a body of people who had not hitherto been considered in this matter, the people of the Eastern Counties, who would receive essential benefit from the passing of this Bill. The coals consumed by them were now carried round by Peterborough and Ely. These coals would be 2*s*. or 3*s*. a ton cheaper if the proposed line were constructed, and he hoped, therefore, that the House would not refuse to read the Bill a second time.

Captain JERVIS contended that the Bill ought to be read a second time, and that the question ought not to be decided on the floor of the House. There were not nine men out of ten in the House who knew anything about it. He strongly objected to a monopoly of a large and important district being granted to an existing company. The real question at issue was, whether a railway company which had expended £20,000,000 — the Great Eastern—should be allowed to establish a connection with another company which had expended £6,000,000. As to the Board of the Great Eastern Company, though their Bill had been rejected last year, they thought it due not only to their shareholders, but to the public to bring it in again in its altered form. The question really was one between railway directors, and was whether twenty millions of capital and the people of the Lancashire and Yorkshire districts were to be kept back by another company, which kept the Great Eastern out.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 121; Noes 162: Majority 41.

Words *added*. Main Question, as amended, put, and *agreed to*.

Bill *put off* for six months.

SOUTH AMERICAN BEEF.—QUESTION.

MR. J. C. EWART said, he would beg to ask the Secretary of State for the Home Department, Whether any order has been issued for the indiscriminate seizure of South American Beef when exposed for sale to the public either in London or Liverpool?

SIR GEORGE GREY said, in reply, that no order whatever had been issued on the subject. It was not till he saw the notice of his hon. Friend's Question that he knew of any seizure having been made within the Metropolitan Police District; but by a report of the police proceedings at the Mansion House a few days ago he found that the Sanitary Inspector under the Commissioners of Sewers had seized a quantity of meat that was unfit for human food. It was said to be South American jerked beef, but from the evidence given it would not appear to have been so. At least, it was condemned on inspection, not because it was South American jerked beef, but because it was not fit for human food. So far from any directions being given for the indiscriminate seizure of the article, there was a question now pending whether, on the application of magistrates, South American jerked beef should not be used in gaols.

POOR LAW BOARD (IRELAND.)
QUESTION.

MR. O'REILLY said, he wished to ask the Chief Secretary for Ireland, Whether it is the intention of Her Majesty's Government to fulfil the promise understood to be made by Mr. Cardwell in 1860, that an Irishman and a Roman Catholic should be appointed to the first vacancy among the Irish Poor Law Commissioners?

SIR ROBERT PEEL said, in reply, that the matter was now under consideration, and perhaps the hon. Member would postpone his Question till another day.

NAVY—CAPTAIN COLES'S CUPOLA.
QUESTION.

MR. DAMER said, he wished to ask the Secretary to the Admiralty, If Captain Coles's Cupola has been tested by firing at it with any heavier guns than those used in the experiments — namely, 40-pounder Armstrong — on board the *Trusty*; and, if not, whether it is the intention of the Admiralty to make any further experiment before proceeding with the further construction of vessels on the same system?

LORD CLARENCE PAGET replied, that no experiments had been tried by firing at Captain Coles's Cupola with a 300-pounder shot, or with steel shot. The experiments which had been made against Captain Coles's cupola consisted, first of all, of five rounds from the 40-pounder Armstrong gun, then thirty-four rounds from a 100-pounder, and then four rounds of spherical shot from the 68-pounder, at a distance of 200 yards; and the result was that there were various indentations on the cupola, but the working of the cupola was not disturbed, and it was not at present the intention of the Government to submit the turrets on board the *Royal Sovereign*, or any other ship, to the test of firing.

VOLUNTEER OFFICERS.—QUESTION.

MR. WATKIN said, he would beg to ask the Secretary of State for the Home Department, Whether he has received any communication from the War Office on the subject of relieving Volunteer Officers from liability of service on juries; and if he is prepared to take steps with a view so to relieve such Officers in consideration of the time devoted by them to their duties as Volunteers?

THE MARQUESS OF HARTINGTON said, he would reply to the Question of the hon. Member. It had been stated a few days ago to the War Office by certain Volunteer officers that officers of the militia were exempted from serving on juries, and that Volunteer officers should have the same advantage. Lord De Grey thereupon said that inquiry should be made into the facts, and if it were found that militia officers were really exempted from serving on juries, representations on the subject should be made to the Home Office. It was not, however, clear that militia officers were so exempted, but the matter was under consideration.

"WRECK ABSTRACT."—QUESTION.

MR. BENTINCK said, he rose to ask the President of the Board of Trade, If he is aware of the fact that the "Wreck Abstract," annually presented to Parliament, refers only to casualties occurring on the coasts of the United Kingdom; whether it is possible to present to this House additional information containing particulars of casualties to Ships on the shores of the Channel Islands, on the shores of Her Majesty's Possessions abroad, to British Ships at sea, and casualties reported by Her Majesty's Consuls in Foreign Ports; and whether Copies of the "Wreck Abstract" presented to this House may not with advantage be forwarded to the Governments of Foreign Countries, and their assistance invited in collecting Wreck Statistics on their own coasts?

MR. MILNER GIBSON said, he was aware that the "Wreck Abstract" annually presented to Parliament referred only to casualties occurring on the coasts of the United Kingdom. He thought it was possible to procure from Governors of our Colonies information as to casualties to ships on the shores of Her Majesty's Possessions abroad, and that such information ought to be added to the Returns. He also thought that Copies of the "Wreck Abstract" might be advantageously forwarded to the Governments of foreign countries, and their assistance invited in collecting Wreck Statistics on their own coasts.

NAWAB OF THE CARNATIC— AZEEM JAH.

MOTION FOR A SELECT COMMITTEE.

MR. CHARLES FORSTER said, he regretted that it was his duty, as Chairman of the Committee on Public Petitions, to acquaint the House that a gross abuse of the right of petition and an undoubted breach of the privileges of the House had, he feared, been committed in connection with some of the petitions which had been presented in support of the Motion about to be made by the hon. and learned Member for Suffolk (Sir FitzRoy Kelly). The Committee, at its meeting yesterday, felt itself bound to present a Report, which would be in the hands of Members tomorrow. In reporting to the House the number of names appended to these petitions, they thought there was strong ground for suspecting that many of the signatures were fictitious, and that some of the persons whose names were attached to the petitions had not really signed them. It would be the duty of the Committee, at its meeting on Thursday next, to continue their examination of the petitions which had since been presented, and should they then be of opinion that the matter was one calling for further notice on the part of the House, they would feel it right to make a Special Report on the subject.

MR. VANSITTART hoped his hon. and learned Friend (Sir FitzRoy Kelly) would postpone the Motion of which he had given notice in consequence of the statement which had just been made.

SIR FITZROY KELLY having presented several petitions praying for inquiry into the claims of His Highness Azeem Jah to the title and dignity of the Nawab of the Carnatic, said:—Mr. Speaker, before I proceed to call the attention of the House to the Motion which I am about to submit, perhaps I may be allowed to allude in a single sentence to what has just passed concerning certain petitions in support of these claims. Sir, I am quite sure that this case requires not the aid of fictitious signatures, or of any other species of deception; and I hope and desire that my hon. Friend who has brought these irregularities under notice will pursue his inquiries, and if there have been misconduct of any kind, that justice may be done upon the offender with no prejudice to the cause of the prince.

Sir, I have now to entreat the attention of the House to the statement I have to make on behalf of His Highness Azeem Jah, who claims to be Nawab of the Carnatic. It is not denied that he is the heir and representative of a line of princes who had ruled in that part of India for more than a century, and during that entire period had been the powerful and ever faithful and devoted allies of the East India Company. But the prince now complains to this House that by an act of arbitrary power he has been deprived of his hereditary dominions and of his revenues without any just cause; the reasons assigned having been withheld from him for years, and only at last made known by means of papers moved for and laid upon this table. He now appeals to your sense of right and justice. He desires a fair, a free, and a full inquiry before a Select Committee. I do not ask the House to pronounce a decision upon this case, or even to form any conclusive opinion upon the questions which it involves. They are not of a nature and character to be fittingly discussed in this House. I seek only to refer them for consideration to a Committee of Inquiry. Sir, two great questions arise in this case. The first, whether two princes of this race, or either of them whose reigns extended from 1749 to 1801, were guilty parties to certain letters which passed between the agents of Tippoo Saib at Madras, and the Sultan himself, or his

Ministers, and said to have been treasonable or contrary to good faith, or hostile to the East India Company; and if they were parties to or cognizant of these letters, which were written as long back as 1790, and became known to the Governor General in 1799, but were never communicated to either of the princes implicated, and only brought forward after the last of them was in his grave; whether these acts done in 1790 justified the British Government in seizing the territory and revenues of the Carnatic, and putting an end to the sovereignty of the Nawabs in 1855. The remaining question is, whether the true meaning and effect of a treaty made in 1801 was to limit the sovereignty of the Carnatic to the life of the reigning Nawab, extinguishing it at his death; but to confer the territory and revenues upon the Company, and secure them to the British Government for ever. Now, I would ask the House to bear in mind the position of the unfortunate prince who appeals to you for justice. If a private individual has to complain of a wrong done, he can resort to a court of law for redress. In Europe, or almost throughout the world, if a small and weak State be assailed by one more powerful, its ruler may look to his allies or to neighbouring nations for assistance and support. But when one of these Native princes of India falls a victim to the policy of a Governor General, and the Minister of the day turns a deaf ear to his complaint, he is beyond the reach of human aid, and without the hope of justice upon arth, unless he can obtain a hearing in this House, and appeal with effect to its sense of honour and of right. The present Nawab of the Carnatic is descended from a long line of illustrious ancestors, who occupied for some centuries a high station at the court of the Great Mogul. In 1744 the then chief representative of the family was made Nawab of the Carnatic—a dignity at that time subject to the Nizam of the Deccan, and a tributary to that prince. When the war with France began, many of the States within the peninsula of India combined with the French forces against our rule; but from first to last the Nawab of the Carnatic was the faithful and effective ally of the East India Company, and he ended his life fighting side by side with British soldiers, at the age of 100, some say 107, in the year 1749. His successor was the celebrated Wallah Jah, the first of the princes of India, whose title was recognized among the sovereigns of Europe, being declared the lawful Nawab of the Carnatic by the Treaty of Paris in 1763. By another treaty in 1768 he is expressly confirmed in the dignity of Nawab of the Carnatic, which was made from that time forth, independent of the Deccan, and secured to him and his heirs for ever. The East India Company are parties to that treaty, and I undertake to show that that treaty is to this hour in force, and is now binding upon Her Majesty the Queen. Another treaty was entered into in 1787, and yet another in 1792; and thus from 1744 to 1801, the year of the death of Omdut-ul-Omrah, the son of Wallah Jah, and of the treaty with his successor Azeem-ul-Dowlah, from that period when the Company had scarcely a rood of land in all India that they could call their own, to the time when they had become the victorious and undisputed possessors of almost the entire peninsula, no one member of this princely family had ever failed or faltered in his fidelity to the Company, or in attachment and devotion to their interests. The histories, the State papers, the despatches of the last century abound in proofs and testimonies to their merits and their services; and no trace of evidence to the contrary is to be found, save in the letters to which I have adverted, and shall hereafter further refer. To give a single example, here is the language of the Governor of Madras in 1780—

> "The first and most distinguished of our connections is that which has been formed with the present Nawab of the Carnatic. Our influence in the Carnatic is founded upon the free will and consent of the Nawab. From his confidence in our attachment and power he requested, of his own accord, that the Company might garrison his forts and maintain his troops at his own expense for the protection of the Carnatic. Such a confidence ought never to be abused. To have deserved it reflects honour upon our moderation; to abuse it would be to throw an indelible stain upon our character and our memory. . . It is certain that all the inconveniences we suffer will be amply compensated by the advantages derived from an exclusive influence in the Nawab's country. It is unquestionably to this influence we are indebted for a great portion of our prosperity, for our success against the French in India in the last war, and the decisive stroke made against them so early in the present war, to which, as affairs have since turned out, we owe, perhaps, our present existence in the East. The support of the Company was originally given to him, not upon his account, but their own."

Well, Sir, within this eventful period we fought against and overcame the French. We fought against and conquered Hyder

Ali. We fought against and destroyed Tippoo Saib and annihilated his empire in India. As long as we were in peril, as long as we needed the support of the Nawabs, we treated them with the distinction and the honours that were their due. When with their powerful aid our struggles and our dangers were at an end, the course of oppression and persecution which has ended in their destruction began. Just mark the history of the time. In 1790 Tippoo Saib was reduced to the necessity of suing for peace, which was granted upon terms dictated by the Company, and his sons were delivered over to us as hostages, and sent to the town of Madras. In 1799 Seringapatam was taken, Tippoo himself fell, and his dominions were annexed to our own. We were then without an enemy in the peninsula, and the time had come when we might venture to turn round and attempt to consolidate our newly acquired empire at the expense of our friends. The Company had long possessed the fortresses and held military possession of the Carnatic, which was indeed necessary to the security of the Nawab as well as their own during the war; but they had urged and importuned in vain both Wallah Jah and his successor to deliver over to them the control and the collection of the revenues; and Omdut-ul-Omrah died in July, 1801, in the full possession and control of the whole financial resources of the State. Upon his death, however, the design of our Indian Government assumed a substantial form, and their efforts were more successful; for it was then that the charge of treachery by the two last Nawabs was for the first time openly brought forward, and the charge was this:—in 1790 Tippoo Saib had been compelled to deliver up his sons as hostages; and they were sent to Madras in the charge of two vakeels, who reported to their master certain conversations they had held with Wallah Jah and his son, and in which they alleged expressions had been uttered and sentiments avowed, hostile to the Company and favourable to the Sultan. These letters or despatches were found upon the taking of Seringapatam in 1799. In the middle of 1800, or before, they came to the knowledge of the Governor General, and upon the contents of these letters, and upon no other ground, the charge of treachery against Wallah Jah and his son was founded. But how can this charge be justified or excused? The first duty of the Governor General was to make it known to the accused, and call upon them for explanation, and give them the opportunity of making their defence. Wallah Jah was dead; but his son Omdut was alive, and lived till July, 1801; yet not one word was ever said to him upon the subject, and he died in ignorance that such an accusation had ever been made. Again, was it likely that Wallah Jah, who had steadily and faithfully adhered to the Company throughout their deadly struggles with France, and with Hyder Ali and Tippoo Saib, from 1744 to the defeat of Tippoo in 1790, would suddenly have become the enemy of the Company and the friend of Tippoo, when the Sultan was helpless and powerless, and the Company who had gained the ascendant could have destroyed him at any moment? But see how the historians of the time have treated this question. Mill, in his *History of British India*, deals with it summarily in these words—

> "Not only does this evidence afford no proof of a criminal correspondence with Tippoo on the part of the Nawab, but the total inability of the English to procure further evidence, with all the records of the Mysore Government in their hands, and all the living agents of it within their absolute power, is a proof to the contrary; since it is not credible that the criminal correspondence should have existed and not left more traces of itself."

This author indeed adds, that the Indian Government had been accused of forging these papers to make an excuse to them for seizing the revenues of the Carnatic. But he shows at once his impartiality and his sagacity when he observes that they could not have fabricated these letters, for if they had resorted to a fabrication they would have fabricated something that would have proved the guilt of the Nawabs; whereas these papers proved nothing. There is, therefore, absolutely no proof that the Nawabs ever departed from the strictest principles of good faith and honour in their conduct towards the East India Company. Was not this charge then an unworthy excuse to impose hard and unjust terms upon the successor of Omdut, and compel him to grant the administration of the revenues to themselves, which had been refused by his father and grandfather as an act of degrading submission? That such was the dishonest policy of that day, and that the princes were innocent of the treachery charged, is proved by every genuine document to be found in the repositories of the East

India Company and the Board of Control. To the authority of Mill the historian may be added the still higher testimony of Sir Archibald Campbell, Governor of Madras, who, at the very period when these princes are now charged with this secret correspondence, thus wrote to the Court of Directors—

> "This venerable Prince (Wallah Jah) would rather subject himself and family to difficulty and distress than be thought backward for a single moment in contributing most liberally to any arrangement which might lead effectually to the defence and prosperity of the Carnatic. I have narrowly watched the Nawab's conduct and sentiments since my arrival in this country, and I am ready to declare that I do not think it possible that any prince or person on earth can be more sincerely attached to the prosperity of the honourable Company than His Highness; or that any one has higher claims to their favour and liberality."

It is indeed lamentable to reflect upon the dishonourable and degrading sentiments expressed in these times by men of high honour and high station when once they became involved in the tortuous and intricate policy which governed our intercourse with the princes of India. Lord Wellesley appears to have referred the designs of the Indian Council upon the Carnatic to the Home Government, who in their turn consulted Lord Cornwallis, then Lord Lieutenant of Ireland. Here is that nobleman's reply—

> "Mr. Dundas sent me Lord Wellesley's letter, and his answer and papers respecting the Nawab of Arcot. I told him that I wished the Nawab to be so managed as either to frighten him so much as to induce him to give up the management of the country, or to furnish a pretext for taking it from him."

Sir, no Minister, or statesman, or gentleman of England would dare to write such a letter as this in the present day; but it does somehow or other occur that men, even of the highest honour and character, when they come to deal with the affairs of India and its people, and its princes and their possessions, do look upon men and things, and facts and principles, and acts, and duties through a medium which discolours all that they look at, and leads them to entertain views of policy and of human action which excite the wonder of the rest of mankind. The unworthy hint of Lord Cornwallis was taken. Instructions were sent by the Governor General to the Governor of Madras, and the very hour that Omdut-ul-Omrah expired a file of soldiers entered the palace of the Nawabs; and the family of the deceased prince were forbidden to meddle even with his corpse, which was scarcely cold, without the authority of the Company's officers. Omdut-ul-Omrah had left an only son, Ali Houssain, then eighteen years of age; and after him the next heir was Azeem-ul-Dowlah, nephew of the deceased Nawab Omdut-ul-Omrah, and father of Azeem Jah the now claimant. It is at this stage of the history that we must pause for a moment and consider the defence which the right hon. Gentleman opposite in the name of the Crown, as the successor of the East India Company, now makes to the demands of the prince. A right hon. Gentleman once a Member of the Government, the Member for Calne (Mr. Lowe), in a former debate rested the case of the Government on what he was pleased to call the simple fact that the Nawab (he did not say which or when) was guilty of treason to the British, and so forfeited his throne and dominions, which were, therefore, justly seized by the East India Company. And this defence was immediately adopted by the first Minister of the Crown. But, Sir, I now in the presence both of the noble Lord and the right hon. Gentleman declare, with all deference to them both, that there is not the slightest foundation in fact for this statement. The Governor General, in the then precarious and unsettled state of British power in India, would not have ventured upon a step which would have alarmed every Native prince with whom we were in alliance, and perhaps provoked another war in which our opponents might again have been supported by France. The Company never did depose a Nawab, or seize the Carnatic as their own, or by proclamation, or even a Minute of Council, or any other open act put an end to the dynasty of this race of princes, or deny or question the effect of the treaties under which the Nawabship was guaranteed to them and their heirs for ever, until they refused to recognize the succession of the present claimant, Azeem Jah, in 1855, retaining the territories and the revenues which had been made over to them in 1801, and seizing and appropriating to themselves the one-fifth, or £116,000 a year which had been reserved to the Nawab. What the Governor General really did was first to question and throw suspicions upon the legitimacy of Ali Houssain, the son of the last Nawab, and so make a case of disputed succession, upon which the Company might choose between the contending candidates; and then, whichever it might prefer, bring up the charge of treachery against the deceased Nawabs, declare that their guilt, had descended upon their innocent successors, and so compel them to yield to them the collection of the revenues which they had striven in vain to exact from Wallah Jah. These were the instructions of Lord Wellesley to Lord Clive, while Omdut-ul-Omrah was yet alive, and acted upon with his son and his nephew, upon his death, resulting in the Treaty of 1801.

> "Various rumours exist relative to the birth of the person of whom the Nawab Omdut-ul-Omrah declares himself to be the father; it is, however, certain that the mother of this young man is of loose origin, and that she was never married to the Nawab. It is reasonable to believe that the succession of this young man would be felt as an injury to the right of the late Ameer's son, by all who might think favourably of the latter's title; and all such persons would undoubtedly use every practicable effort to defeat such a succession. Under the circumstances neither party could claim our support under existing treaties; and in determining to whom your support should be granted, we are at liberty to consider the security of Great Britain's interests in the Carnatic, and the general prosperity of the country, and the happiness of its people as the primary objects both of our right and duty. On this principle, it is manifest, that from the candidate whom we may resolve to raise to the Musnud, we may justly require the most ample pledges for the effectual remedy of the evils which now afflict the Carnatic. For this purpose the successor of Omdut-ul-Omrah must be required to surrender to the Company, in the most absolute manner, the Civil and Military Administration of the Carnatic, not retaining possession of a single fortress, nor maintaining an armed force, under any pretext whatever. No other arrangement would be adequate to the attainment of the indispensable objects which have been stated."

To Ali Houssain, the boy of eighteen, accordingly the overtures were made. He was told of the charges against his father, and his grandfather, and required to surrender what they had refused to part with, the entire civil administration of the Carnatic. He also steadily refused, and thereupon the illegitimacy was brought forward; the Company were all-powerful, and Ali Houssain was set aside. Azeem-ul-Dowlah was next applied to; the same arguments were used, the same conditions exacted; and he at length yielded, and the Treaty of 1801 was concluded. Now, down to the moment of the signature of this treaty, the hereditary right of the princes of this house to succeed to the Musnud or sovereignty of their ancestors existed unimpaired and unquestioned. The Company having brought about a dispute as to the succession, might choose between the rival pretenders, and confer the Nawabship upon the candidate of their choice. But the Nawabship existed; and the Carnatic and its revenues belonged subject to the provisions of the treaties, but according to the treaties to the right heir, whoever he might be. The Company adopted and accepted an heir, Azeem-ul-Dowlah, whose title, it may be observed in passing, became perfect and indisputable in the following year, 1802, when his cousin, Ali Houssain, died without issue; and the sole question now between the Crown and this unfortunate prince is whether the terms of this Treaty of 1801 are such as to extinguish and destroy the hereditary character of the Nawabship, and to limit its existence to the life of Azeem-ul-Dowlah, so that at his death, even had he died the next year or the next day, the Nawabship came to an end; his son and his descendants became private individuals, subjects of Her Majesty, and their revenues, including the one-fifth or £116,000 a year reserved by the treaty, became the property of the Company; the next heir, the whole family, and their posterity for ever, left absolutely destitute, and dependent upon the bounty or charity of the Company, or their countrymen, once their subjects, for their daily bread. That, Sir, is the question which I desire to submit upon the construction of this treaty to a Committee of this House. But before I come to the treaty itself, I would appeal to this House whether if it was really intended by the Company to put an end for ever to this dynasty, to grant the title to this one Nawab for the term of his own life only, and at his death to seize his revenues and possessions, and leave his family beggars, it was not their bounden duty, upon every principle of honour and fair dealing, to tell him so in express terms, and let him judge for himself whether he would accept the treaty upon such conditions. Now, what was the language used to these princes, and by which one of them was at last induced to cede the revenues and agree to the treaty? We find it in the Report of the Commissioners appointed to treat with them; and here it is—

> "We then informed the Khans that the only remedy applicable to the errors of the present Government of the Carnatic was the substitution of one permanent authority, in lieu of the fluc-

tuating authority which had hitherto subsisted; that the appropriation of the resources of the Carnatic, during the Government of the Nawab and under the pressure of actual war, had been found from experience to be incompatible with the objects of the alliance; and, therefore, the only adequate security for the right and interest of the British Government in the Carnatic against the dangers with which they have been menaced was the entire and exclusive administration of the civil and military Government of the Carnatic. We accordingly informed the Khans that this condition would form the basis of the arrangement which it was our intention to propose to them. Najeeb Khan observed that such a proposition was calculated to frustrate the professed object of the arrangement; for if the entire Government of the Carnatic should be transferred to the hands of the Company, the station of Nawab of the Carnatic would be annihilated. We replied to the Khans that the condition now proposed actually existed in the Treaties of 1787 and 1792; and that although the entire civil and military Government of the Carnatic had been transferred under the operation of that condition to the exclusive administration of the Company, no doubt was entertained that the rank and dignity of Mahomed Ali and Omdut-ul-Omrah, as the Nawabs of the Carnatic, had been preserved. We, therefore, drew this conclusion—that the rank and dignity of the Nawab of the Carnatic could not be injured by extending the operation of that condition; and that the object of proposing an amicable adjustment, instead of proceeding to exercise the rights acquired by the British Government, was manifestly founded on the desire of preserving to the family the rank, dignities, and splendour of the Nawabs of the Carnatic."

To this, though Ali Houssain rejected the proposals of the Commissioners, his cousin at last yielded; and the treaty was signed. The Company, while agreeing expressly to confirm all former treaties which made the dignity hereditary for ever, desired only to modify the statement that Azeem-ul-Dowlah had succeeded by hereditary right, and declare that he had been established by the Company; which was, indeed, the truth. But even this was not insisted on, in case the Nawab should object to the change. On the 18th of August, 1801, Lord Wellesley thus writes—

> "His Excellency in Council, therefore, does not consider the objection to be of sufficient force to preclude the ratification of the treaty in its actual form; nor does he deem the proposed alterations to be of such importance as that they should be proposed to His Highness the Nawab Azeem-ul-Dowlah, at the hazard of forfeiting any of the advantages already acquired, or even of exciting any degree of alarm and jealousy in the mind of His Highness Azeem-ul-Dowlah."

But the prince, who relied upon the good faith of the Company, accepted the change without hesitation; and the words excepted to were omitted, and the treaty declared that—

> "The Prince Azeem-ul-Dowlah Bahadoor has been established by the East India Company in the rank, property, and possessions of his ancestors, heretofore Nawabs of the Carnatic."

How could he be established in "the rank of his ancestors heretofore Nawabs of the Carnatic" if he became a Nawab for his life only, and the rank was to cease at his death? I come now to the treaty itself, upon which the question is whether it recognizes the prince as established in the hereditary rank and dignity of his predecessors, Nawabs of the Carnatic, or whether it is an agreement that he is to enjoy the dignity for his life only, and that it is to terminate for ever at his death; the Company, however, retaining the revenues which, by the treaty the Nawab has ceded to them, and they have accepted from him, in perpetuity for ever. And first the treaty recites that it is made—

> "For the purpose of supplying the defects of all former engagements, and of establishing the connection between the said contracting parties on a permanent basis of security in all times to come."

Then after further declaring that it is made "for settling the succession," and again providing in the 1st Article that—

> "The Nawab is established in the state and rank with the dignities dependent thereon, of his ancestors, Nawabs of the Carnatic, and the possession thereof guaranteed by the honourable Company."

The 2nd Article, in this plain and most precise language, continues the provisions of former treaties—

> "Such parts of the treaties heretofore concluded between the said East India Company and their Highnesses heretofore Nawabs of the Carnatic, as are calculated to strengthen the alliance, to cement the friendship, and to identify the interests of the contracting parties, are hereby renewed and confirmed."

Sir, among the treaties thus referred to, and renewed and confirmed is the Treaty of 1768, between the East India Company and Wallah Jah, and other powers of India, containing in Article 7 the following provision:—

> "The exalted and illustrious Emperor, Shah Allum, having been pleased to grant to Wallah Jah and his eldest son, and their heirs for ever, the government of the Carnatic, Payen Ghaut, and the countries dependent thereon (and the Nizam having agreed to release him and his heirs in succession for ever from all dependence on the Deccan) it is now agreed and acknowledged that the said Nawab Wallah Jah, and after him his son and their heirs and successors, shall enjoy for ever, &c., the government of the Carnatic."

Now, Sir, I pause at this point of the treaty, and seriously would ask the House whether it is possible to deny the hereditary right of this line of princes consistently with this solemn renewal and confirmation of former treaties, one of them thus declaring that the reigning Nawab (Wallah Jah), and after him his son, and their heirs in succession, shall enjoy for ever the Government of the Carnatic. To this treaty the powers and duties of the East India Company in India having been superseded by Act of Parliament, Her Majesty the Queen has now become a party. The most eminent jurists and lawyers in this country and in India, Dr. Travers Twiss, Mr. Lush, the Queen's Counsel, Mr. Norton, Advocate General in India, have all unhesitatingly pronounced their decided opinion in favour of these claims under this treaty; and I challenge the Ministers of the Crown to produce a single opinion to the contrary by any member of any Bar within Her Majesty's dominions. Sir, I hasten on to the conclusion of this treaty. I deny that a single word is to be found within it which points to a limitation of the dignity to the life of the reigning Nawab. The 3rd Article speaks of "the alliance between the ancestors of the Nawab and the English nation." The 4th provides that—

> "The full and exclusive right to the revenues of the Carnatic (with the exception of such portion thereof as shall be appropriated to the maintenance of the Nawab and for the support of his dignity) shall be for ever vested in the Company."

How can it be contended that the Nawabs were to part with their revenues—then upwards of half a million, now several millions a year — for ever, and the 5th reserved to themselves, and never parted with at all, was to pass away from them and be forfeited at the death of one who might not live a month? How could the Company accept these large revenues in perpetuity, from an individual who was only, as they now say, possessed of them for life? I now come to the 5th Article, which is in these terms—

> "It is hereby stipulated and agreed that one-fifth part of the net revenues of the Carnatic shall be annually allotted for the maintenance and support of the said Nawab and of his own immediate family, including the Mahal of his Highness the Ameer-ul-Omrah, and the said fifth part shall be paid by the Company in monthly instalments, &c., &c."

It is this portion of the revenues, amounting as I have stated to £116,000 a year, which after being duly paid under this treaty to Azeem-ul-Dowlah, to his son and his grandson, from 1801 to 1855 the East India Company have withheld from the next heir Prince Azeem Jah, and confiscated and appropriated to their own use, insulting him with the offer of £10,000, afterwards increased to £15,000 a year for his life. So much then for the treaty itself; and I now proceed to show that not only did the Company never intimate or hint to the Nawab that the sovereignty of his family was to end with life, but the contrary was held out to him, to his family, to the other princes of India, and to the world, in every public document of which any trace is now to be found. It was notified to the Governor of Bombay and other authorities that—

> "His Highness Prince Azeem-ul-Dowlah having entered into engagements for the express purpose of reviving the alliance between the Company and his illustrious ancestors, and of establishing an adequate security for the British interests in the Carnatic, the British Government had now resolved to execute its rights and its power, under Providence, in supporting and establishing the hereditary pretensions of the Prince Azeem-ul-Dowlah Bahadoor in the Soubadarry of the Carnatic."

As early as the month of December, 1801, the Governor of Madras addressed the family in these terms—

> "That the new arrangement was made to preserve to that respectable family its ancient rank among the princes in Hindustan.
>
> "That when the Nawab Azeem-ul-Dowlah was raised to the rank of Nawab of the Carnatic his Highness succeeded to the rights of his illustrious ancestors, heretofore Nawabs of the Carnatic.
>
> "That the Nawab Azeem-ul-Dowlah, whom God preserve, had made himself the instrument of restoring the foundation of alliance with the British Government and the rank and dignity of his illustrious family.
>
> "That it is incumbent on the British Government to respect the rights acquired by His Highness by the late treaty; and it is my special duty to resist every attempt which may be made to encroach on those rights, or to violate the principles of the alliance now firmly and perpetually established."

So in another letter from Lord Clive we find—

> "And on the other hand, the faith of the executive Government is pledged by a treaty to secure to the Nawab his rights and immunities in the same full and ample manner as they have heretofore been by his Highness' predecessors, Nawabs of the Carnatic."

But, Sir, we have also a very remarkable testimony to the construction put upon this Treaty of 1801, and to the hereditary character of the rank recognized in the Nawab, upon the high authority of the Duke of Wellington, who from the termination of his own brilliant career in India, took a deep interest in the events and the affairs of that country, especially during the Government of his brother the Marquess Wellesley. In the Supplemental Despatches recently published by the present Duke, is a paper upon the then state of India, in which after narrating with his usual accuracy and terseness the occurrences in the family of the Nawabs which led to the Treaty of 1801, the Duke concludes his summary in these words—

> "The Prince Omdut-ul-Omrah having agreed to the arrangement, a treaty was concluded by which the whole of the Civil and Military Government of the Carnatic was transferred for ever to the Company; and the Nawab Azeem-ul-Dowlah, and his heirs, were to preserve their title and dignities, and to receive one-fifth part of the net revenues of the country."

Thus was this important arrangement concluded in a peaceable manner, by which a remedy was provided for all the evils which had attended the former connection between the Company and the Nawabs of the Carnatic; additional security was given to the British Government, and an addition of £800,000 a year, value of twenty lacs of star pagodas, was made to their pecuniary resources. It is impossible to state in clearer or more emphatic terms the whole substance and true meaning and effect of this treaty, and unless the Duke of Wellington's account of these transactions is to be set aside as erroneous and worthless, it is perfectly conclusive of the question before the House. To all this must be added the view evidently taken of the treaty by the advisers of the Crown in this country. Upon the news of the treaty reaching England and being communicated to the King, His Majesty George the Third, under date of the 27th of January, 1804, wrote thus —

> "We congratulate your Highness on your accession to the Musnud of your ancestors. Your Highness may be assured that we shall seize every occasion of affording you proofs of regard, and of continuing to your Highness and to your family our especial friendship and protection."

And the same impression prevailed throughout the Government of the Marquess of Hastings. In the journal of that nobleman, published after his death, he thus refers to a conversation with Azeem-ul-Dowlah, in which it should seem that the prince expressed some apprehensions as to the observance of the treaty by the Company —

> "I answered that a treaty plighted the public faith of the nation, so that it must be my duty to maintain its terms according to its true spirit, which ought always to be construed most favourably for the party whose sole dependence was on the honour of the other."

And again—

> "I answered that the case was widely different between a vanquished enemy and the representative of a family which had always preserved the most faithful alliance, and added that nothing should ever induce me to give a colour for others to imply a doubt which I myself could not for an instant entertain."

Sir, these are sentiments worthy of the representative in India of a British Sovereign and the British nation. But we now come to the time when if this treaty was really for the life of Azeem-ul-Dowlah only, and was to terminate at his death, the Sovereignty must have ceased; the Company must have become entitled to the £116,000 a year, and the son of the Nawab became a pensioner dependent upon their bounty. In 1819, Azeem-ul-Dowlah died, leaving two sons, the eldest of whom was Azum Jah; and that I may accurately represent what took place upon that event, directly bearing upon the question of this treaty, I beg the attention of the House to the Minute of the Government of Madras, and the prompt reply of the Governor General, Lord Hastings—

> "Under date 2nd October, 1819, the Madras Government stated to that of India that it would have been satisfactory to them to have been informed whether the Governor General in Council considered the treaty concluded with the late Nawab on the 31st July, 1801, to have guaranteed the succession to the Musnud in the direct and legitimate line of descent to which opinion they themselves had always been inclined, as well from the spirit in which the treaty was concluded, as from the tenor of its professions, and also from the terms of the declaration published at the period."

Lord Hastings, in reply to the suggestion of a new treaty with Azum Jah, observed—

> "A new treaty was unnecessary, because he considered His Highness to be *ipso facto*, a party to the treaty concluded with his father in 1801."

This total absence of any idea that the Nawabship had ceased to be hereditary, and the interpretation of the treaty now insisted on by the prince is proved and confirmed by a very remarkable Minute of Sir Thomas Munro during the reign of Azeem Jah. It was to this effect—

> "By the 1st Article of the Treaty of 1801, the Nawab Azeem-ul-Dowlah Bahadoor is formally established in the state and rank, with the dignities dependent thereon, of his ancestors.

> "By the 3rd Article the Company charges itself with the maintenance and support necessary for the defence of the Carnatic, and for the protection of the rights, person, and property of the said Nawab; and the said Nawab stipulates that he will not enter upon any negotiation or correspondence with any European or Native Power, &c. By this the Nawab does not relinquish his Sovereignty; he merely renews the article of former treaties, by which he engaged not to correspond with foreign States without the consent of the Company.
>
> "By the 5th Article, one-fifth part of the net revenue of the Carnatic is allowed for the maintenance and support of the said Nawab. The fifth part is his claim as Sovereign of the whole Carnatic. It is the revenue which remains after providing for the civil and military charges, and is probably as large a clear revenue as was received by any of his ancestors.
>
> "By the 10th Article the rank of the Nawab as prince and as an ally of the British Government is declared. No change in the political situation of the Nawab has taken place since 1801. He is still Prince of the Carnatic, and he is a party to the treaty by which one-fifth part of the revenue is secured to him. Without a breach of the treaty we cannot without his consent alter any of the Articles."

This was written after Azeem-ul-Dowlah had died, and had been succeeded by his son, whom Lord Hastings declared to be a party to the treaty. It is utterly impossible to reconcile this with the construction of the treaty first put forth in 1855, and now persisted in by Her Majesty's Government. But we have a higher authority still against the limited construction of the treaty. It is no less than that of the East India Company themselves. In 1825 Azum Jah himself died, and was succeeded without any question made by his son Mahomed Ghouse, a minor. Azeem Jah, the prince next in succession, and the now claimant, was appointed guardian and regent; and to him the Court of Directors addressed a letter in the following terms:—

> "The accession of Goolam Mahomed Ghouse Khan Bahadoor, the legitimate son of the late Nawab, to the throne of his ancestors, we readily confirmed, and we pray God that he may long live to enjoy the honours and perpetuate the line of the ancient and illustrious family of which he is the descendant and heir."

And still later the Marquess of Tweeddale, in 1843, affirmed the right of these princes to their titles and dignities by a Minute expressly treating the present claimant Azeem Jah as the next heir in succession to the then reigning Nawab. These are its terms—

> "His Lordship in Council observes, that His Highness Prince Azeem Jah Bahadoor (the late Naib i Mooktar) does not hold that place in List No. 1 (of the Nawab's relatives) to which he is entitled in consideration of the position he has lately occupied in connection with the British Government, and of that which he still holds in relation to His Highness the Nawab, and to his succession to the Musnud. It is, therefore, resolved that the name of Prince Azeem Jah Bahadoor be placed first on the list of the male relations of His Highness the Nawab."

Thus, Sir, before and after this Treaty of 1801 the treaty itself, and every document, public and private, that emanated from the officers of the Company at Calcutta or Madras, or from the Company themselves, or from the Sovereign of this country here, recognized and confirmed a hereditary character in the Nawabship of the Carnatic. And it was not till 1855, when Mahomed Ghouse expired, that this foolish tale of treason imputed to the progenitors of the prince some sixty or seventy years before was revived—a false and contradictory construction put upon the Treaty of 1801; and the representative and heir of the most faithful and devoted of the allies, who had stood by us in all our struggles and distresses and perils, set aside with the cold and heartless contumely of official despotism, and degraded to the rank of a subject and the condition of a dependent upon the bounty of his oppressors. Sir, I address myself now especially to the Ministers of the Crown. The East India Company exist no longer; and if the general tenor of their policy is to be judged of by their conduct in 1855 towards this prince, it is well that their power has passed away from them, and that a higher and greater administrator has become the ruler of the people of India, and the disposer of the destinies of its Native princes. The Queen has now assumed the government of that country, and declared herself the protectress of its princes. I entreat the House to consider the language of Her Majesty's proclamation. It speaks in these terms to the princes of India—

> "We hereby announce to the Native princes of India that all treaties and engagements made with them, by or under the authority of the Honourable East India Company, are by us accepted, and will be scrupulously maintained; and we look for the like observance on their part. We desire no extension of our present territorial possessions; and while we will permit no aggression upon our dominions, or our rights to be attempted with impunity, we shall sanction no encroachment on those of others. We shall respect the rights, dignity, and honour of our Native princes as our own, and we desire that they, as well as our own subjects, should enjoy that prosperity and social advancement which can only be secured by internal peace and good government."

Sir, this prince has never done an act to forfeit the goodwill, the countenance, the protection of the Queen. In the unhappy crisis of 1857, though smarting under the insults and the injuries of the Company, he stood faithfully and loyally by the British Crown and the British people. He is the high-priest of the Mahometan religion in those parts, and he exercised the influence which that character conferred upon him, to tranquillize and pacify the people around him, and while agitation and disturbance prevailed throughout more than half of our dominions in the East, Madras and the Carnatic were at peace. Sir, I am not insensible to the inconveniences that may arise from the existence of a number of these titular sovereigns above or beyond the reach of the law scattered throughout India, with numerous families and retinues, of different habits and different codes of morality from ourselves, with us and among us, but not of us. I cannot, however, admit that these considerations should prevail against the great and universal and everlasting principles of truth, good faith, and justice. When I last addressed this House on behalf of the prince, though I ventured upon an opinion, I could hold out no pledge as to the future. Now, however, I have the authority of His Highness to say that he is ready to agree to a convention, to be sanctioned by an act of the Legislature of India, under which his family and dependents, with the single exception of the heir-apparent for the time being would become in all respects subject to the law, and the jurisdiction of the courts. Sir, I shall not enter upon the vexed question of the policy of annexation in India, which has divided public opinion and left the world in doubt whether impartial history hereafter will confer undying fame and honour, or throw deep discredit upon the great names and the memory of Lord Dalhousie and Lord Canning. It may be a profitable and a beneficial policy to England to annex to its already gigantic possessions the territories of every prince in India, from Cape Comorin to the confines of China. But no policy can be sound and good which wars against the eternal and unchanging principles of justice. It is to these that I appeal, when I ask of this House not to pronounce a decision upon these claims, but to put them in a course of fair and impartial inquiry. If the result of that inquiry be that the claims are groundless, the Government will have satisfied the House and the country that it has done its duty. If, on the other hand, the documents, the high legal authorities, the undoubted and unquestionable facts which, though at great and inconvenient length, I have but sparingly and cursorily submitted to the House, should be found to prove, as I feel that they do prove, that these claims are righteous and just, then I cannot doubt that the Ministers of the Crown will hasten to repair the wrong that has been done, and this House will have exercised its sacred and inestimable privilege of granting protection and redress to the helpless and the oppressed, when no other tribunal exists upon the earth to which they can appeal. I beg, Sir, to conclude by moving—

> "That a Select Committee be appointed to inquire into the claims of His Highness Prince Azeem Jah to the title and dignity of the Nawab of the Carnatic, and the claims of his Highness under a treaty entered into in 1801 between the Honourable the East India Company and His Highness Prince Azeem-ul-Dowlah."

MR. SMOLLETT, in seconding the Motion, wished to say a few words. He knew that the Secretary of State for India (Sir Charles Wood) liked to hear everything that could be said against his Department before replying, and he would indulge the right hon. Gentleman in that respect. Language had not been given to him to conceal his thoughts. He would not touch on the legal phases of the question, which had already been sufficiently treated; besides which the case was one so plain and simple that "he who ran might read," and, moreover, Lord Harris had never taken the trouble of consulting any legal person in the matter. Having himself last Session brought forward a Motion of the same nature as this, and dwelt at considerable length on the details of the case, he would on the present occasion merely state how the matter had been disposed of in India, and how it was left in that House last year. To enable the House, however, to understand his argument they must bear in mind the broad features of the case. They must remember that the last Nawab of the Carnatic died in October, 1855, being then possessed of a titular dignity and of a considerable revenue attached thereto, held under the provisions of a treaty entered into in 1801. The prince who died in 1855 had succeeded in 1825, when a child, to his father, who then died, and the father had succeeded in 1819 to his Highness Azeem-ul-Dowlah, the prince with whom the Treaty of 1801 was made. There were thus three generations of princes in succession. When the last prince died, in 1855, the right of succession was claimed by his uncle, his father's brother—a prince who had himself been created by Sir Thomas Monro, Regent and successor with a native title which he need not trouble the House to name. In that capacity he had been received with Royal honours on every public occasion at Government House. His title appeared to be clear, indisputable, indefeasible; but when he made the application no answer whatever was returned to him, and he was treated as if he had been an abject impostor. At the time when the case was disposed of in India the Governor of Madras was Lord Harris, who, with his faithful henchman, Sir Henry Montgomery, wrote a Minute that was submitted to the Home Government by Lord Dalhousie. Like everybody else since the days of Sir Robert Peel, Lord Harris gave three reasons for his conduct. First, he said he treated the claims of the Nawab with contempt, because the arrangement of 1801, upon which he based his claim, was a purely personal treaty made with the Prince Azeem-ul-Dowlah, that it terminated with him in 1819, when he died, and after that event it had been looked upon as waste paper by every one of his predecessors in office. If that reason had been true, it would have been a most sufficient and ample one, and to advance any other reason would have been a work of supererogation. But, unfortunately there was not a single word of truth in it. It required, indeed, a considerable amount of Corinthian brass—in common parlance, "cheek"—for that noble Lord to assert that an arrangement terminated in 1819 which had continued up to 1856 unchallenged. It was, moreover, no ordinary demand upon their faith to ask them to believe that the payments of money amounting to some two and a half millions in all, which had been made up to the year 1856, would have been continued by the East India Company if they had been under no moral or legal obligation to do so. An idea appeared to have flitted across the feeble mind even of Lord Harris that he would not be believed in that assertion, and, therefore, he invented a second reason on the spot—namely, that admitting the Treaty of 1801 to be permanent and intended to endure for all time coming—as its preamble stated, the time had come, in his Lordship's estimation, for declaring the whole instrument null and void, because, he said, it contained an immoral provision. He was a very religious man, Lord Harris, and the immoral provision of the treaty was that it made a permanent and suitable provision for the representative of a distinguished Native family. That in his Lordship's estimation was so scandalous a job, a proceeding so indecent that it vitiated the whole transaction. But, lest that should not suffice, his Lordship fell back on a third reason—namely, that there never was a Treaty of 1801 at all. That was the way in which he disposed of the whole case. Last year, he (Mr. Smollett) had protested against the absurdity of such a view of the case, and he had asked the House, as the hon. and learned Gentleman now did, to appoint a Committee to inquire whether the Treaty of 1801 was not a permanent arrangement, when he then commented at some length on the folly, the insolence, the grotesque absurdity of assigning such reasons for an official decision, the Treasury Bench was more than usually filled with its ordinary occupants. There were then present the noble Viscount the First Lord of the Treasury—once a juvenile Whig, and now called an ancient Minister; on his right sat the Chancellor of the Exchequer, one of his disciples, whom he loved most dearly—a Gentleman who, it was said, was intriguing for the succession, though his chief still looked hearty and vigorous, and it was hoped would long continue so to be; on his left was the Secretary of State for India, of whom he should say something presently; and on either side of these sat the Attorney and Solicitor General, their faces beaming with intelligence, but like harpies, eager for the prey. He had really thought he should be utterly discomfited by the united learning, ability, and wisdom of these Gentlemen; but, strange to say, neither the noble Viscount nor his right hon. Friend, nor his learned associates, so much as ventured to approach the discussion. They were there at the commencement and remained till the end, but it was only to vote. Although he did not arrogate to himself that he was a man of any consequence in the House, still, as an independent Member, having brought a grave charge against a Department of the State in no improper spirit, he thought he was entitled to a reply—an official reply. It had been said more than once in his hearing in that House by the hon. Member for Liskeard (Mr. Bernal Osborne) that Whig Gentlemen when long inured to office were apt to become arrogant and insolent. The hon. Member for Liskeard was, he believed, a discontented politican, but being himself a very good-natured fellow in the main, he would not use language like that towards Ministers. Again, they all remembered the kind way in which the hon. Member for Elgin (Mr. Grant Duff) last year spoke of the Secretary of State for India. He said the right hon. Gentleman could not make a statement regarding his Department intelligible, because Providence had deprived him of the power of lucid articulation. These were samples of the usual amenities, the little compliments passed by the rank and file of the Liberal party upon their leaders and captains. There was too much familiarity in the ranks, and sometimes it engendered contempt. As he had no claim to be on familiar terms with the right hon. Gentleman, as no amorous dalliance had passed between himself and the Treasury Bench, although he was open to an offer, he would speak of them as great functionaries of the State ought to be spoken of, and would tell them plainly and distinctly that he believed they gave him no answer because no effective answer could be given to him. There were some cases too discreditable to be defended, and in these a prudent reticence was possibly the most prudent course to follow. But though he received no official reply, some hon. Members with more zeal than discretion offered what they said was an explanation of the case. First came the hon. Member for Stoke-upon-Trent (Mr. Grenfell). He could not understand that hon. Gentleman's argument at the time, but he had since read it in *Hansard*, and he believed that he now comprehended the drift of his observations. The hon. Gentleman stated that if the Nawab of the Carnatic had lived under a pure and perfect Mahommedan Government he would have been immured in a prison for life because he was the next heir to the throne, and he appeared to regard him as a most ungodly scoundrel, deserving almost of the bow-string, because having been allowed to go at large, he had turned round upon his benefactors and accused them of defrauding him of his inheritance. The hon. Member then maintained that the Indian Exchequer ought to be sharply looked to. He agreed with him in that, but he did not think that the best way to fill the Exchequer was to plunder the Native princes. Honesty was the best policy, though that was a doctrine that did not find much favour on the Treasury Bench. And, in conclusion, the hon. Member for Stoke-upon-Trent said that he would vote against inquiry, because no ground had been shown for considering that the Treaty of 1801 was a permanent treaty, except by the production of a stray expression found in a loose memorandum written by the Duke of Wellington, a memorandum which contained sentiments diametrically opposed to the opinions of every statesman, from Lord Clive downwards. He denied that any statesman from Lord Clive downwards had ever declared that the Treaty of 1801 was a temporary one. Lord Clive declared that it was made for perpetuity, and if Lord Wellesley ever asserted that it was a temporary one, why was not the despatch which contained that statement produced? If it could be shown that either Lord Clive or the Marquess of Wellesley had ever laid down that doctrine he would give up the case at once. In 1805 it is admitted that the Duke of Wellington expressly stated that his brother made the treaty with the Nawab and his heirs. In 1812 the Marquess of Hastings in a personal interview had with Azeem-ul-Dowlah assured the Prince that the treaty would always be construed in its plain signification, because the honour of England was involved in its maintenance; and in 1819 an official opportunity occurred to that great statesman for deciding what the proper construction of the treaty was. The Nawab died in that year, and the Government of Madras then asked if the succession was to go to the eldest son. Lord Wellesley answered that the treaty included the sons as well as the father, and that there was no occasion whatever for a new treaty arrangement. He put it to the Secretary for India how could this be a personal treaty with Azeem-ul-Dowlah and yet include his sons, who were living to-day, and had been disinherited. The right hon. Gentleman sat still and made no answer, but he hoped he would yet rise and tell the House how that could be. Again, in 1822, Sir Thomas Monro, than whom there never was a more efficient or honourable Governor of Madras, declared the treaty to be permanent and in full force; that it recognized the Nawab of the

Carnatic as a Sovereign prince, and that no alteration could be made without the consent of the family. Again, in 1833, the Marquess of Tweeddale gave notice to the home authorities that the present Regent was the heir presumptive to the Musnud—that was, to the titular dignity and to the emoluments belonging thereto, and no objection was taken to this Report. Who, then, were the band of great statesmen who, from the time of "Lord Clive downwards" had declared this treaty to be a temporary one? They existed only in the brain of the hon. Member for Stoke-upon-Trent. Nor was the Duke of Wellington's memorandum unworthy of attention. The hon. Gentleman could not have spoken of it more contemptuously if it had been written after dinner when his Grace was half seas over; but the fact was that it was an historical memorandum, extending over more than four hundred pages, compiled from the private papers of the Marquess of Wellesley and the Public Records written at the suggestion of the first Minister of the Crown, revised, corrected, and placed in the Government archives as a State document. To speak of this document as undeserving of credit was an artful dodge, but it was a manœuvre unworthy of the Member for Stoke-upon-Trent and of his position in this House. His hon. and gallant relative the Member for Ayr (Sir James Fergusson) also took part in the debate to which he was referring, but he was a discreet Conservative and therefore he would deal with him lightly. The hon. Baronet, however, knew nothing about India, but he appeared to have some idea that the mantle of the Marquess of Dalhousie had fallen upon his shoulders. He passed a panygeric upon that noble Marquess, and seemed to think that these proceedings must be all right because he had been concerned in them. He had not, for reasons which were known to the hon. Baronet, introduced the name of the Marquess of Dalhousie into this question; but, as he had thus been challenged, he would say what he thought of what that noble Lord did. In a Minute, dated the 28th of February, 1856, a few months after the suppression of the Nawab's title, in which Lord Dalhousie gave a history of his brilliant achievements in India, and blew his own trumpet pretty loudly, he stated that in the autumn of 1855 the Nawab of the Carnatic died very suddenly; and then, like a true Peelite, he proceeded to assign three reasons for what he did. He said—

> "First, as the treaty with the predecessor of the Nawab was a purely personal one; secondly, as the late Nawab had left no heirs male; and thirdly, as the family had grossly abused their dignity and the large sums which had been set apart for their maintenance, the Court of Directors had been advised to put the title of Nawab in abeyance."

These few lines contained a vast amount of equivocation and some absolute untruths. As the noble Lord's Minutes had not come home, he cautiously said that he had advised the Court of Directors to put the title of Nawab in abeyance; but the fact was that he had recommended its suppression. In *Don Juan*, Lord Byron described the pirate Lambro, the father of the amorous young woman Haidée, as a "sea attorney." The swell mobsmen of London were accustomed to describe the theft of a watch as "an act of conveyancing." So Lord Dalhousie, when he plundered one of the princes of India, spoke of the act quite sportively and jocosely as "putting the title in abeyance." His Lordship first called the Treaty of 1801 a personal treaty; well, the object of this proposed inquiry was to ascertain whether it was or not. Secondly, the Nawab, he said, had left no heirs male; but that was a positive mis-statement. Lord Harris was at that time in frequent communication with Lord Dalhousie but he never made so audacious an assertion. He said there were so many heirs male that he hoped the treaty would be declared null and void to get rid of them. But thirdly, said Lord Dalhousie, these people had abused their dignity and honour and spent their money in an unworthy manner, and therefore they should be suppressed. It was his Lordship that abused his high position in plundering the family of an ancient ally. The truth was, as he knew personally, that this young prince had been neglected by the Government of Madras, and left uneducated; he had been plundered; we were his guardians; we lamented his impecuniosity, which had been caused by ourselves, and in the end gave that as a reason for suppressing the title and taking from him the accompanying allowances. He should not have gone into these matters, but his hon. Friend the Member for Ayrshire had incited him to it by passing a eulogium on the merits of Lord Dalhousie, which he hoped he would never do again. His hon. Friend was followed by the right hon.

Member for Calne (Mr. Lowe) who had the reputation of being a close and severe logician, although his logic on this occasion was shallow and inconclusive. He said "that happily for himself the case of the Nawab could be disposed of in three or four sentences," and then characteristically in those few sentences misrepresented the whole case. He (Mr. Smollett) had asked by what title we held the Carnatic if this treaty were null and void. The right hon. Gentleman replied that the native right to hold it had been forfeited by their treason and rebellion; but where was the proclamation in which any such pretext had been put forward? In 1801 Azeem-ul-Dowlah, the legitimate monarch, transferred the country to us, and by that treaty alone we held it now. Treason and rebellion existed nowhere but in the imagination of the right hon. Member for Calne. But he went further, and said that the Treaty of 1801 decided the point of hereditary succession, as it said nothing whatever on the subject, while the preceding Treaties of 1787 and 1792 had expressly provided for the hereditary succession. This omission in 1801, therefore, the right hon. Gentleman held showed that it was not to be continued. But the right hon. Gentleman forgot, if he ever knew, that the Treaty of 1801 sanctioned and confirmed the other treaties which are not, therefore, repealed, but which still exist, and are yet in full force. But, after all, said the right hon. Gentleman, this was not a transaction of which any person could be proud. Well, he had always heard that the right hon. Gentleman was regarded as a master of severe and unbending logic; but a more extraordinary, a more illogical conclusion never came under his observation. According to the right hon. Gentleman's showing, the Acts of Lords Harris and Dalhousie were strictly legal and correct. A treaty which ought never to have been made, because made with traitors expired in 1819. By some chicanery it had been continued; through this, a vast sum of money had been wasted. At last, on the death of the head of the family, in 1855, the fraud was brought to light by Lord Harris and the matter was put upon a proper footing. Surely if this be a true statement the transaction is one which might challenge the approbation of the world; and yet the right hon. Gentleman says it is one which we must regard with pain. He quite agreed that this was a transaction that they must look on with pain, but for very different reasons from those assigned by the right hon. Gentleman. They must look on it with pain because it was conceived in secresy, suggested by fraudulent misrepresentation, and consummated by a vast amount of equivocation. These were the only reasons he could conjure to himself why this transaction should be regarded with pain. These, at all events, were the reasons why he looked on the authors of this transaction with mingled feelings of contempt and disgust. On what ground was the case of the Nawab based? It was founded on an allegation that under a document signed on the 31st of July, 1801, he was entitled to hold this titular dignity. He did not come before the House with the moan of a beggar and with the whine of a mendicant, as the hon. and learned Member for Sheffield (Mr. Roebuck) said Irishmen were accustomed to do in that House. He claimed this title and the large annuity which had been conferred on him legally, and he asked for inquiry into his claims in the interests of justice. The case was so clear, and reduced to so narrow a point—whether this treaty was meant for permanence—that he really could not conceive how any Committee could meet three or four times without being in a position to give an authoritative decision upon it. And why was not the Committee granted? The House was in the habit of appointing Committees even on somewhat trivial occasions to inquire into injustice said to be done to individuals. Last year a Committee was appointed to inquire into the conduct of the Department with which the right hon. Gentleman the Member for Calne had been connected. The case was investigated, and the right hon. Gentleman had been acquitted of blame. To-night an inquiry was proposed with reference to a trivial act of injustice committed on Mr. Morell. If Committees were appointed for such objects, why were they not to inquire into this great injustice perpetrated by two noble Lords? Why was a Committee refused? The reason was that by no official act, by no contrivance, could any Committee be got together at all likely to take a favourable view of this Carnatic transaction. That was the reason why the right hon. Gentleman (Sir Charles Wood) offered to this case such an amount of passive resistance. They were told last year that if matters of this kind were raked up the foundations of our Indian Empire would be rent asunder. If that were so, the sooner such an empire, founded on a rope of sand, passed away the better. This was mere subterfuge, mere invention. The case of the Nawab was not the only instance of injustice perpetrated in Southern India in 1855. The Rajah of Tanjore, a titular prince, enjoying a large income, under a treaty, also died suddenly in 1855; he and his father had enjoyed it for sixty years, and there were not any heirs male left. The title was declared lapsed quite properly, and the annuity ceased. But the Rajah had been thrifty; his property was worth £350,000, and the Governor of Madras, thinking it would be a good opportunity to replenish the coffers of the State, confiscated the whole amount. He sent down auctioneers, sold off the property as he would that of a bankrupt linendraper; he treated the wives and female children with greater indignity than they would have been treated if they had fallen into the hands of thieves or bandits. The case was taken before the Privy Council, and he (Mr. Smollett) brought the subject before that House, and with the assistance of some Friends on both sides of the House he obtained at least a promise that the case should be investigated. At the lapse of two or three years the case was reconsidered, and the whole of the plundered property restored. Did this act of justice cause rebellion in Southern India, or was our dominion less secure in consequence? He had had hundreds of letters assuring him that the restitution of that property had given the greatest possible satisfaction to all, except the individuals who had plundered it, and, he asked, would there not be equal satisfaction if justice were done to the Nawab of the Carnatic? That prince did not come suing for mercy, but rested his claim on the Treaty of 1801. He asked that the subject should be investigated conscientiously, and he (the Nawab) would abide by the result. He (Mr. Smollett) thought the House would fail in its obvious duty if it did not compel an inquiry. He thought that the Legislature, now that we professed to govern India on Christian principles was especially bound to see that when charges were made involving our honour and good faith, such charges were not to be thrown aside merely because those concerned held high and responsible positions under the British Government.

Motion made, and Question proposed,

"That a Select Committee be *appointed* to inquire into the claim of His Highness Prince Azeem Jah to the title and dignity of Nawab of the Carnatic, and the claims of His Highness under a Treaty entered into in 1801 between the Honourable East India Company and His Highness Prince Azeem-ul-Dowlah."—(*Sir FitzRoy Kelly.*)

Sir EDWARD DERING said, he did not rise so much for the purpose of going into the general question before the House as to make a few observations on the remarks that had been made by the hon. Member for Dumbartonshire (Mr. Smollett). The hon. Gentleman said he did not intend that his language should conceal his thoughts. But if his language correctly conveyed his thoughts he (Sir Edward Dering) could not congratulate him on his frame of mind. He would endeavour to avoid the example set by the hon. Member, and to express his opinions in language more in accordance with the general usage of that House. The hon. Gentleman had thought fit to impugn in, no measured terms, the conduct of Lord Harris, the late Governor of Madras. Nothing was so easy as to frame a charge against any individual, provided actions were imputed to him of which he had not been guilty, and language was attributed to him entirely and totally at variance with that he had used. He would first state the charges made against Lord Harris by the hon. Gentleman, he would then refer to the original account given of the transaction by Lord Harris, and finally he would leave the House to form its own opinion as to how far those charges were established. The tendency of the whole of the speech to which they had just listened was to show that Lord Harris, in his position of Governor of Madras, had in 1855 compromised the national honour and the national faith. Now, Lord Harris on that occasion, in one of the opening paragraphs of the Minutes, while expressing his opinion in favour of determining this mock Royalty, explicitly stated that he would not advocate its abrogation if any breach of national honour or faith would be thereby involved. If the noble Lord had put an arbitrary construction upon the treaty in order to accomplish the end he had in view, no doubt there might have been some ground for the contention of the hon. Gentleman; but it was an established fact that Lord Harris, so far from adopting such a course, had made the Treaty of

1801 the keystone of his policy. The noble Lord had quoted the recorded opinions of those by whom the treaty was framed—he had quoted the opinions of Lord Wellesley and Lord Clyde to show that the treaty was a mere personal one, and that its provisions would come to an end on the death of the Nawab. On this point Lord Wellesley said—

> "The whole question of the succession will therefore be completely open to the decision of the Company upon the decease of the present Nabob."

Lord Clyde said—

> "Throughout the whole of these negotiations the Nabob stated his conviction that the right of his Highnesses family founded on its connection with the Company was annihilated, and that he considered the causes of his own elevation to have flowed from the generosity and moderation of the British Government."

Sir John Malcolm, the historian, a high authority upon such a subject, also said—

> "Azeem-ul-Dowlah was positively openly declared to have no hereditary claims; the treaty is made with him alone, and no provision is made for a successor."

Lord Wellesley had thought it so desirable to put that question beyond the possibility of dispute, that he altered the original draft of the preamble and the first article of the treaty, in order that it might be placed upon record that the grant was made by the generosity of the British Government, and that the claim of the Nawab did not proceed from any hereditary right. The hon. Gentleman had blamed Lord Harris for asserting that the same policy was adopted in 1819 as he followed in 1855. Now, the Madras Government, on the death of the Nawab, informed the agent that as it did not appear that any positive stipulation had been inserted in the Treaty of 1801 respecting the rights of his eldest son, or of any other member of his family, to succeed to the Nawabship of the Carnatic, the Government would be precluded from acknowledging him until specific orders had been received from the Governor General. The Governor General replied that the Government were pleased to acknowledge the eldest legitimate son, and had resolved that the pecuniary provisions of the Treaty of 1801 should remain in force. If the eldest son had succeeded by hereditary right there would have been no necessity for the Government of India to have passed a Resolution that they should pay him as they had done his father. [Mr. SMOLLETT: Certainly there would.] He thought otherwise. Exactly the same policy was followed in 1825, when the Government of India, in reply to a communication of Sir Thomas Monro, stated that they had resolved to place the infant son of the late Nawab in his father's position, and thus showed that they then entertained views similar to those previously expressed. It must have been a great satisfaction to Lord Harris to find that eminent statesman Lord Dalhousie in one of his despatches say—

> "I entirely agree that the Treaty of 1801 confers no right of hereditary succession—it is a purely personal treaty; there is no mention of heirs and successors. Lord Wellesley was not a man who did things without reason. When, therefore, while negotiating treaties with the Nawab of Oude and others, and forming treaties with those princes, their heirs and successors, and omitting all mention of them in the Treaty of 1801 alone, it is very certain Lord Wellesley did not intend to extend its provisions beyond the life of Azeem-ul-Dowlah."

He thought it must have been equally satifactory to Lord Harris and Lord Dalhousie to find that their first opinion on the subject was confirmed by the Court of Directors. Those who lived at the time must of necessity be better judges of the circumstances than a Committee of the House would be. The hon. and learned Member had referred to a passage in Mr. Mill's book of India, which he relied on as throwing considerable doubt on the fact of a treasonable correspondence; but in the passage of that work immediately following the one to which the hon. and learned Member alluded — Mr. Mill observed—

> "It is most remarkable that of all the Englishmen in India of whose sentiments on that occasion we have any record, the Governor General, his Council, the Governor of Fort St. George, his Council, the Examining Commissioners, and the Persian translator, the very foremost men in India, not one appears to have doubted that the evidence we have examined established undeniably the facts which they so eagerly desired to infer."

Under all the circumstances he could not see — notwithstanding the able and lengthened address of the hon. and learned Gentleman—that a Committee was called for in this case. The archives of Calcutta and Madras had been searched, the evidence had been on the table for years, and the House had before them all the materials necessary for enabling them to come to a conclusion. He did not mean to question the assertion of the hon. and learned Gentleman that the terms of the treaty were vague and ambiguous, but he thought this was one of the cases in which they must look to the spirit of the treaty, and not catch at vague and ambiguous expressions. They must take the circumstances as a whole; and looking at them in this way they must remember the statement of Lord Wellesley and the declaration of Lord Clive, that the young Nabob was perfectly cognizant of and assented to the provisions of the treaty. He regarded the revival of demands as this as calculated to stir up strife, engender bad feeling, create a sense of insecurity in India, and encourage hopes only doomed to disappointment. He thought, also, that on reflection the hon. Gentleman (Mr. Smollett) would feel that it would have been better taste to try the question on its merits than to throw out aspersions upon a man who stood so high with all parties as his noble Friend Lord Harris—a nobleman under whom the hon. Gentleman himself had had the advantage of serving, whose high character he must have had an opportunity of appreciating, and of whom he must therefore have known that there was no man less likely on any occasion to compromise the honour of his Sovereign or his country.

Mr. VANSITTART could not recognize the justice of the claim now put forward after the very liberal manner in which the Indian Government had treated the family of Prince Azeem Jah. They had paid a sum of £320,000 for debts incurred by the profligacy of the late Nawab. They had continued the allowance of £15,000 a year to his concubines and "pretty horse-breakers," and the payments to this family had been increased. Immense sums had been paid to natives of India who had put forward every sort of claim in the manner adopted by the individual who called himself Prince Azeem Jah. Why were so many of those claims put forward over and over again? He must express his conviction that the vacillating and evasive manner in which the right hon. Gentleman the Secretary for India was in the habit of replying to questions of this nature induced hon. Members who took an interest in Indian affairs to revert to those claims again and again. In 1861 he called attention to the munificence of the right hon. Baronet, whereby in 1860 he bestowed upwards of half a million on the worthless descendants of Hyder Ali and Tippoo Sultan, and at the same time put all these Indian claimants on the *qui vive.* On the 25th of July, 1861, the junior Member for Southwark brought forward this claim, and the right hon. Baronet said that he concurred generally in the remarks of the hon. Gentleman. On the 15th of August, three weeks after, the hon. Gentleman (Mr. Layard) was appointed Under Secretary of State; and by way of showing his gratitude for the same he gave the cold shoulder to Azeem Jah when the hon. Member for Dumbarton brought the claim forward last Session and divided the House on it. This was a most unsatisfactory state of affairs, and such a shuttlecock system was ill-calculated to give the princes of India much respect for the decisions which the House came to on these questions. He believed that several cases in which large amounts were involved would shortly be brought before the House. One of those cases was that of the Begum Sombrie, which involved no less a sum than £700,000 and had been pending for upwards of twenty-nine years. On the subject of these Indian claims he would take the liberty of quoting an extract from a speech of a great Indian authority, the late Lord Macaulay. After eulogizing most highly the administration of the late East India Company and the eminent services always rendered by the Company's civil servants, he observed—

> "It would clearly have been the duty of those who were charged with the superintendence of India to scrutinize with the utmost severity every claim which might be made on the Indian revenues, and to oppose with energy and perseverance every such claim unless its justice were manifest. What India pays to these nominal princes, to the titular Nabob of Bengal, for example, or to the titular King of Delhi, who, while they did anything did mischief, and who now do nothing, she—that is India—may well consent to pay to her real rulers if she receives from them, in return, efficient protection and good legislation."

He submitted that the opinion of Lord Macaulay was worthy of being considered by the House when they had to deal with questions of this kind; and he, for one, should feel bound to vote against the hon. and learned Gentleman's Motion.

Mr. NEATE said, he was not sure that the meaning of the treaty was to convey upon the Nawabs an indefeasible right of hereditary succession. On the contrary, the Indian Government always claimed the right of superseding the right of succession, and of depriving the ruler, if they conceived his acts to be inconsistent with his duty of allegiance to the sovereign. Still there was no doubt — though it was stated on the authority of Mr. Edmonstone that there was no direct line — that the present claimant was a lineal descendant of the Nawab with whom the treaty was made; and a renunciation of the actual government of the Carnatic did not necessarily involve a renunciation of its revenues. After a careful consideration of the whole question, he thought there was just sufficient doubt about it to make it advisable and right that the Government should accede to the proposition of his hon. and learned Friend.

THE SOLICITOR GENERAL thought his hon. and learned Friend (Sir FitzRoy Kelly) had acted wisely in protesting at the outset of his statement that he should avoid all questions of policy, for if the questions of policy connected with this subject were taken into consideration there could be but one opinion—that it was impolitic to maintain in India a number of nominal Sovereigns and nominal Courts—Sovereigns who had no power and to whom no power could be safely intrusted—who had only this attribute of sovereignty that they were above all law, and could commit almost any wrong with impunity. The existence of these mock courts was nothing but unmixed evil to the people of India, their abolition would inflict no harm on a single human being, and would confer an immense benefit upon the people of India and upon ourselves. The question, then, came to this, where we bound to perpetuate these acknowledged evils for all time? Certainly very strong arguments would be needed to bring the House to a conclusion so disastrous to our Government in India. The discussion though it had travelled over a wide field, might be compressed within comparatively narrow bounds. It was asserted by those who said that we ought to perpetuate these evils for all time that we were bound to do so by the Treaty of 1801. He contended that the terms of that treaty warranted no such construction—next, that if we were to travel beyond the terms of that treaty to ascertain what the intentions of the parties to it were, it would be seen that they were diametrically opposed to the representation which the hon. and learned Gentleman had given of them; and, further than that, that the treaty was expressly framed for the purpose of excluding the possibility of any such interpretation. But, before coming to the terms of the treaty, perhaps it would be as well to cast a glance at the state of the Carnatic at the time. The hon. and learned Gentleman spoke repeatedly of the Nawab of the Carnatic as a Sovereign succeeding through a long line of ancestors, and an opinion of Dr. Twiss had been quoted, which was said to refer to an ancient *consuetudo* to that effect. In a note to Mr. Mill, Mr. Wilson said—

> "The Nawab of the Carnatic was originally nothing more than an officer of the Soubadar of the Deccan, appointed and removed at the pleasure of his superior. That he had been rendered independent of the Soubadar was not even his own act, it was the work of the English; he owed everything to their protection; he was their creature, not their equal."

We were asked from time to time by what title did we hold the Carnatic before the Treaty of 1801? and it was supposed that our right rested entirely on that treaty. Why, we were masters of the Carnatic as early as 1763, when the power of the French was destroyed. From that time we had sole power, and the Nawab had just as much power as we chose to grant him. Mr. Mill said—

> "After the final overthrow of the French in the Carnatic (1763), they not only now beheld the man whose interest they had espoused in the possession of the Government of the country, but they beheld him dependent on themselves, and the whole kingdom of the Carnatic subject to their absolute will. It was the grand object of deliberation, and the grand practical difficulty to settle in what proportion the powers and advantages should be divided between the nominal Sovereign and the real one. The English were not disposed to forget that upon them the whole burden of the war had devolved, that they alone had conquered and gained the country, that the assistance of Mohammed Ali had been of little, or rather of no importance, and that even now he possessed not resources and talent sufficient to hold the Government in his hands unless they continued to support him."

From that time we were the real rulers of the Carnatic, the Nawabs were our creatures, though to a certain extent we did acknowledge a nominal sovereignty in them. It was perfectly true that we entered into treaties with the Nawabs in 1762, 1787, and 1792 in which were contained the potent words, "heirs and successors." The value of these words was perfectly understood by the parties and by all the lawyers and statesmen throughout the world. But in the Treaty of 1801—the only one now relied upon—which as he should show put an end to all the former treaties—those words, "heirs and successors," were omitted, in order that there might be no possibility of a contention arising. They were omitted by Lord Wellesley, because, whatever might be the opinion of his hon. and learned

Friend opposite, a clearer case of treachery never was made out against anybody than was made out against the Nawab of the Carnatic. Lord Wellesley's private secretary, Sir John Malcolm, thus wrote on this point—

> "The impression made on the mind of the Governor General by this conduct of the Nabob and his officers was such that the Governor General repeatedly declared that if the Nabob had been decidedly in league with the enemy, he could not have adopted measures more calculated to embarrass the operations of the British Government, and to favour the cause of the enemy, and that his conduct could not be explained on any other grounds than that he actually was in league with Tippoo Sultan."

Lord Wellesley did not condemn the Nawabs on suspicion. It was only upon the taking of Seringapatam that there was found in the palace of Tippoo Saib a correspondence which was in cypher with the Nabob. ["No!"] It was so asserted in the papers. He would read what was written by Lord Wellesley, Lord Clive, and Sir John Malcolm, who had accesss to that correspondence, and formed an opinion therefrom. They said that the correspondence was found in Tippoo's Palace, and the key also. [Sir FITZROY KELLY: There is nothing of the kind in the papers.] He asserted that it would be found in the papers that the key was found and examples were given explaining the key as applicable to the cypher. Upon those grounds Lord Wellesley and Lord Clive, together with those who assisted them in the inquiry, came to the conclusion that there had been the deepest treachery on the part of the Nabob, who owed everything to us, and that while pretending to assist us he had been carrying on a correspondence with Tippoo Saib adverse to our interests, and for the purpose of our destruction. Upon that point he would call attention to the statements of those who were most competent to give opinions upon this matter. Lord Wellesley said—

> "No doubt exists in my mind that the British Government would now be completely justified in depriving the Nabob of all power over his country and reducing him to the state of a mere pensioner."

Lord Clive, writing to Lord Wellesley, said—

> "Previously to the receipt of your Lordship's despatches, . . . I had determined to take immediate measures, on the demise of the Nabob Omrat-ul-Omrah, for exercising the Government of the Carnatic on the part of the Company."

The Solicitor General

Sir John Malcolm said—

> "The evidence of the Nabob's treachery, which was as positive as ever can be expected to be obtained in such cases, added to His Highness's conduct, which in every act from the day of his accession corroborated the truth of that evidence, would certainly have justified the Governor General in immediately proceeding against him as an enemy of the State, and the intimacy of his connection with the Company increased the danger to be apprehended."

That was the state of things in 1801, before the treaty, when those who had discovered the treachery of the Nabob felt justified in treating him as an enemy, and that we had the right and the power to take possession of his country, and that all former treaties were abrogated by his acts of hostility. But whether this were so or not it was not for the present claimant to deny it, owing as he did his title to the abrogation of those treaties, and the passing over the rightful heir in his favour. It was by the Treaty of 1801, therefore, that the present claimant must stand, for if the former treaties were in force he would not be the right heir, and instead of sitting upon the throne he would probably have found himself in a dungeon. That being the state of affairs, we had the power and the right to take possession of the Carnatic; but it was not thought wise to exercise that power to the full extent, and negotiations were entered into with the son of the old Nabob, which failed, because he would not accede to the terms proposed; and it was upon the failure of these negotiations that Azeem Dowlah was taken out of the regular line of succession and placed upon the throne by the Company. With him a treaty was entered into, from which the words "heirs and successors" were omitted, which had given validity to former treaties beyond the life-time of the contracting parties. Although those words were not in the treaty, originally there was a recital that he succeeded by hereditary right; but Lord Wellesley said that would not do, and that clause was struck out. In order that the House might see clearly what were the views of Lord Wellesley, he would read an extract of a letter to Lord Clive, then Governor of Madras—

> "Your Lordship is fully aware that the result of the discovery which has been made of the late Nabob's treacherous correspondence with the late Tippoo Sultan had placed the Soubadar of the Carnatic in the situation of a public enemy to the British Government, had annihilated the existing treaties between the Nabob and the Company, and

> had sanctioned the enforcement of such measures as the British Government might deem necessary for the security of its rights and interests . . . This is the fundamental principle upon which the late arrangements have been founded ; and consequently the acknowledgment of an inherent right in any member of the family of the late Nabob to succeed to the Soubadarry of the Carnatic is incompatible with the maintenance of that principle."

That was the ground upon which Lord Wellesley sent back the treaty. Afterwards an altered form of treaty was submitted to the Nabob, to which he acceded, the particular words objected to being omitted. In order, further, to prove the intentions of both parties he would quote an extract from a letter from Lord Clive, stating the manner in which the Nabob received the altered treaty. Lord Clive said—

> "Lord Clive is happy to inform the Governor General that this acknowledgment was entirely voluntary on the part of His Highness, and that the faith of the British Government has in no degree been pledged to recognize any inherent rights in the Nabob Azeem-ul-Dowlah. Throughout the late negotiations His Highness stated his conviction that the rights of His Highness's family founded on its connection with the Company, had been annihilated by the violation of the alliance, and that he considered the causes of his own elevation to have flowed from the generosity and moderation of the British Government. His Highness relinquished all claim to the acknowledgment of his hereditary pretensions."

Therefore it was clear that not only did the words of the altered treaty not imply hereditary rights, but that both contracting parties knew that the words "heirs and successors" were intentionally omitted, and that the Nabob fully assented to hold his title from the Company. The real question was on the construction of the treaty, and that could not well be affected by what was said or done by the parties after its completion. If expressions were used on one side, however, they must be used on the other, and it was not immaterial to see what was done on the death of Azeem Dowlah in 1819. Upon his death his successor was not recognized by the Government of Madras, and the question was referred to the Government of Bengal; but after some time he was recognized, and there was no necessity for any new treaty, because he adopted the provisions of the former treaty, which applied to him. He (the Solicitor General) would read an extract from a letter written by the successor of Azeem Dowlah, which would prove that he regarded himself as holding his position at the will of the East India Company. The young prince wrote—

> "The gracious condescension of his Lordship, in acknowledging me as the successor of my deceased father, in the rank and title of Nabob of the Carnatic ; the congratulations which you offer me on this occasion ; your informing me that my succession to the Musnud will be immediately proclaimed ; and that the pecuniary provisions of the treaty concluded between the Hon. Company and my late father will be continued, have bound me by the strongest ties of attachment to his Lordship and yourself. You have acted towards me as an affectionate grandfather would act towards a beloved grandson, and it is quite impossible for me to express my gratitude in adequate terms."

That letter was an admission that the writer possessed no hereditary title, but held his position entirely under the East India Company. He would not trouble the House further upon that point, as he had shown that neither by the letter nor by the spirit of the treaty, nor by the expressed intentions of its framers, could the Government be called upon to accede to the claims now put forth. His right hon. Friend the Secretary of State for India had simply declined to reverse the judgment of Lord Dalhousie—a judgment formed ten years ago, after the most mature consideration, and concurred in by Lord Harris, to whom it would only be an affront to attempt any reply to the vituperation showered upon that nobleman by a hon. Gentleman (Mr. Smollett) who had spoken. He would venture to say that his right hon. Friend was right in the course he had adopted, and that no good, and probably much evil, would result from the appointment of a Committee to investigate, after a lapse of more than fifty years, and with necessarily imperfect information, questions which had been determined by Lord Wellesley and Lord Clive upon the fullest information, and after mature deliberation. They had heard, too, of similar claims from other princes, and the appointment of the Committee would, therefore, in his opinion, only have the effect of impressing the people of this country with the idea that it was the intention of the Government to perpetuate those mock Indian courts, and to rake up a number of claims which would be advantageous to none but the claimants themselves, and would tend to undermine the stability of our rule in India.

Mr. HENNESSY desired to refer for a minute to an incident which had occurred during the debate. An hon. Gentleman, the Chairman of the Petitions Committee, had in a marked manner before the debate began, stated that on the examination of the petition presented to the House in favour of the claims of the Nawab it was discovered that one of the signatures was evidently not in the handwriting of the person by whom it purported to have been written, and that he had felt it to be his duty to announce the fact to the House upon the occasion of this debate. The occurrence, however, was by no means an unusual one, and he found that the Petitions Committee had reported a similar fact only last week. It was undoubtedly contrary to the Orders of the House, but it was, nevertheless, a common thing for people to have their names written for them—a circumstance arising from the fact that the Orders of the House in this respect were not generally known. The late Mr. Gregson, when Chairman of that Commitee, had noticed the frequency of those occurrences, and had accompanied the notice by a reminder that incapacity or sickness were the only excuses for the adoption of such a course. Many Government Bills had had petitions presented in their favour with regard to which the same objection might have been made. For the first time, however, the fact had been commented upon, and he could not but deprecate the course which had been adopted by the hon. Gentleman, as he feared the effect would be—whether so intended or not—the prejudicing the decision of the House. The right hon. Gentleman the Solicitor General had told the House that the treaty upon which this claim was founded was a personal one, and that by it all former treaties were abrogated. That statement, however, was refuted by the second clause, which provided—

> "That such parts of the treaties heretofore concluded between the said East India Company and their Highnesses heretofore Nawabs of the Carnatic as are calculated to strengthen the alliance, cement the friendship, and identify the interests of the contracting parties are hereby renewed and confirmed."

The 7th article, too, of the Treaty of 1768 provided—

> "That the said Nawab, and after him his son and his heirs in succession, shall enjoy for ever the Government of the Carnatic."

It was hardly necessary to go into every particular, as the Motion for the appointment of a Committee was merely for the purpose of inquiring into all those details. He regretted that the noble Lord the Member for King's Lynn (Lord Stanley), the late Secretary of State for India, was unavoidably absent that evening. The noble Lord, whom he did not regard as a violent party man, had devoted himself to public questions with an impartiality which had procured for him the respect of both sides of the House. That noble Lord, on the occasion of a similar debate last Session, expressed his regret that the right hon. Gentleman the Secretary of State for India (Sir Charles Wood) had not risen in his place for the purpose of explaining authoritatively the course adopted by the Government. That remark had no effect, for the House proceeded to a division without receiving any statement from the right hon. Gentleman the Secretary of State for India. When they found that every statesman living at the time in India or in this country, and who published anything upon the subject, concurred in the opinion that the treaties which had been made conferred upon the Nawab a hereditary and not a personal title, and when they found that at the present time the same opinion was held by authorities like the noble Lord the Member for King's Lynn on his side of the House (Lord Stanley), and the hon. Member for Birmingham (Mr. Bright) on the other side, he could not but think that the hon. and learned Member who had moved the appointment of the Committee was perfectly justified in demanding such an inquiry. He must confess that he was surprised that the Government resisted such a demand after the speeches which had been made in the House year after year, and after the expression of opinion throughout England as to the justice of the claim; but if the Motion of his hon. and learned Friend was refused that night, it would be brought on again another Session. He therefore hoped that the House would do justice to the claims of the prince, and also to the feelings of the country, by granting the inquiry which had been asked for

MR. DUNLOP said, that although he had voted with the minority on the occasion of a similar Motion last Session, he must confess that, owing to the absence of any explanation upon the part of the Government, he entertained doubts lest, not having heard their case, he might have taken a one-sided and erroneous view as to the correctness of the course which he had pursued. He was, however, delighted to find that the able speech of the hon.

and learned Gentleman the Solicitor General that evening had confirmed his first opinion. He (Mr. Dunlop) supported the Nawab's case purely on public grounds, and had not any Indian feeling or connection to influence him. He had long been of opinion that of all possible tribunals for the consideration of such questions that House was the very worst. When the India Bill was before the House, he proposed a Resolution in favour of establishing some judicial tribunal for the determination of questions between the Government and the Native princes of India. It was too much to suppose that the Native princes would receive justice at the hands of those who profited by injustice, and to expect that they would receive justice from a deliberative Assembly like the House of Commons was almost as little to be imagined. A legal impartial tribunal was, in fact, absolutely necessary to enable justice to be done in such cases. But till such tribunal was created such cases must be decided by this House unfit as they were. He would not go into the old question of the treasonable correspondence, for it had no bearing upon the case. If the conduct of the ancestors of Azeem Jah warranted their forfeiture, it had not been taken advantage of for that purpose. The Government dealt with the Nawab as the Sovereign, and their treaty with him proceeded on the assumption that he was such. The Solicitor General declared that this was a mere personal treaty, but though the Nawab was taken up instead of his cousin, and owed his being placed on the Musnud to the power and authority of the East India Company, he was placed there on the footing on which his forefathers had occupied it, and his son and his grandson have succeeded to it since. The present claimant asked to be established in the rank, property, and status of his father, which were in their own nature hereditary. The Nawab who made the treaty with the Government held a right descendible to his heirs, inherently, and of its own nature, and if it had been intended to be merely personal to the individual it would have required an express limitation of the right to his life rent. But instead of this, the form of the treaty is not that the Nawab had any right conferred upon him by the Company, but that he ceded a portion of his rights, which he held as a dignity and territory descendible to heirs, to the Company; and consequently all that was not ceded remained with him, and followed the law of inheritance. Now, the conveyance to the Company in this treaty, which is their only title of possession, was not universal. There was an express exception. By the fourth article there is ceded to the Company, by the Nawab, the "exclusive administration" of all his territories, and the right to the "revenues" thereof, "with the exception of such portion of the said revenues as shall be appropriated for the maintenance of the said Nabob, and for the support of his dignity," fixed, by the next article of the treaty, at "one-fifth of the net revenues." That fifth never went to the Company at all. They had a suzerain right over him, but no right to take the fifth. He (Mr. Dunlop) thought the case quite clear, but if there was any difficulty or doubt about it, why not let it go to a Select Committee? He would not enter upon the argument raised by the Solicitor General, that it was a matter of policy to put down the Native princes of India, for it seemed to him to be, a little in disguise, the policy recommended the other night for putting down the Maori race in New Zealand. The great and best policy of this country was to do justice.

MR. HENRY SEYMOUR could not agree with his hon. Friend that it would be desirable to send this case to a Select Committee. The present discussion would, however, show the people and princes of India that questions of justice affecting them were fully investigated in that House. It was unnecessary to go back beyond 1801. The East India Company effected a change in the succession to the Musnud, and placed upon it a member of the family out of the regular line of succession. The Carnatic family had no legal right to what was now claimed. It was a kind of Parliamentary title, and there was the evidence of the Marquess of Wellesley and others, to the effect that the words "heirs and successors" were purposely omitted from the treaty. It conferred, therefore, a personal right only. He believed that, for the sake of the family itself, the Government of India ought to put an end to the title of Nawab of the Carnatic. It was not an ancient dynasty, and the Nawab was but the lieutenant of the Soubadar, who was in turn only the lieutenant of the Emperor. The Nawab was therefore from the beginning the vassal of this country. He had endeavoured to persuade the Government to allow these and other Mahomedan gentlemen in a similar position, who were now beggars in Madras, to reside throughout the presidencies, and to give them jaghires or grants of the waste land of India of which there was abundance with the further grant of a small money capital upon which they might settle down to agricultural pursuits. One of his objects in rising was to say that, though opposed to a Committee of Inquiry, he thought that the India Office ought to take the case of those gentlemen into consideration, and although he would not allow them one-fifth of the revenues of the Carnatic, yet the utmost liberality should be shown to them — indeed, much more than had been shown by the Secretary of State for India in the £15,000 which he understood had been offered them. It was the duty of the Government to settle questions of this kind at once, and not to put them off so long. With a little energy the present matter might be settled in the course of a few months. He hoped the division that night would set the question at rest for ever. It depended especially upon the India Office to prevent these questions from being brought forward. The right hon. Gentleman had been particularly generous to the family of Mysore, for he made them a very large grant after he had refused the demands for a number of years. But it was a bad precedent to refuse demands for a number of years and then to yield. The proper course would be to sift thoroughly every claim advanced, and when that had been done to refuse to open the case again.

Mr. INGHAM supported the Motion for a Committee, on the ground that in the two vacancies which had occurred after the Treaty of 1801 the hereditary title had been respected, and it was upon that foundation that the right of the present claimant rested. It was stated in a Minute of the Governor General that the uncle of the Nawab of that day claimed upon the ground of certain allusions made to him in former papers, and that no attempt would be made to weaken his claim. That might be taken to mean that in the case of the Nawab leaving no children the uncle would be allowed to succeed. When expectations had been held out to a man they ought to be considered as a pledge. The Government had stated that circumstances had arisen which induced them to set Azeem Jah aside, but they did not say what those circumstances were. Circumstances might have altered, but the House should not presume that they had altered without inquiry.

Sir CHARLES WOOD said, his hon. Friend behind him (Mr. Dunlop) expressed a wish to have some other tribunal beyond the House constituted to inquire into the subject, but he had understood the objection stated by the hon. Member to be to a Committee. He was opposed to an investigation, whether conducted by a Committee or by any other tribunal. To propose an investigation by a Committee as had been done by the hon. and learned Gentleman opposite into the authenticity of documents in a language unknown to them, and into occurrences which had taken place seventy years ago, was as monstrous a proposition as ever had been made to that House. He hardly thought it necessary to go into any argument on the subject of appointing a Committee, the speech of his hon. and learned Friend the Solicitor General upon that point had been so conclusive. The whole of the documents connected with the case had been laid upon the table and printed, and he was not aware that there was any question upon which a Committee could throw any light. The hon. and learned Gentleman had stated that the reason why Azeem Jah was deprived in 1855 of the position which his predecessors held, was the imputed treason of Wallajah and Omdut-ul-Omrah at the close of the last century; but it was no such thing. The reason for the course taken in 1855 was not any that had been alleged by the hon. and learned Gentleman; it was a reason of policy. The mischief of different kinds which had resulted from the maintenance of these mock Royalties was the real and valid objection to them. Lord Harris stated the reason shortly and as clearly as man could state it and concluded that the strongest grounds of public policy would justify their abolition if it could be done without violation of faith. The existence of those nominal sovereignties, possessed of no power, but beyond the law and exempt from it, wasting their revenues on a number of profligate and fanatical followers, and on some occasions becoming an actual danger to the Government, was a state of things in the Carnatic and elsewhere which it behoved the Government of India to put an end to as soon as they could, provided no breach of faith was committed. Now, this question of policy was one upon which no person who had addressed the House had expressed an opinion. A signal instance has occurred since the Minute of Lord Harris exemplifying the danger which his foresight had pointed out. The King of Delhi, who had been before referred to, was one of these deposed and nominal princes. When we assumed the paramount sovereignty of India he was left with no territory or power, but was absolutely supreme within the palace of Delhi, and no further. Well, it was notorious that the palace of Delhi was the scene of every vice. He did not say that the King of Delhi instigated the mutiny, but it was the fact that the mutineers assembled at Delhi, that in their presence the King was induced to abet and assent to the murder of English people, and that Delhi was made the centre and focus of the insurrection. What was the result? His sons paid with their lives the penalty of treason, and the King died in exile. Was that a state of things beneficial to the State or to the individual? He maintained that in that and in other like cases it was beneficial to neither, and that an end should be put to a position so fraught with mischief. The case of the Mysore princes at the time of the mutiny at Vellore was a precisely similar one. He did not say that they instigated the mutiny at Vellore, but their followers did, their names were used, it was certain that encouragement was given to the mutiny from their palace, and very little further evidence was wanting to place them in the position of the King of Delhi and his sons. The anticipations of Lord Harris, then, were perfectly justified—namely, that these persons might become a source of great danger. It was true that at Madras no danger arose from the Nawab, because the Government of Madras was strong and vigilant; but the tranquillity of Madras was not to be attributed to any forbearance or influence exercised by Azeem Jah, but to the foresight and the strength of the Madras Government. The revenues of these princes were spent in maintaining thousands of fanatical Mussulmans, and it was better for the princes themselves that they should not be in a position which they very often could not help—becoming, if not the instigators, the puppets, and in the end, not improbably, the victims of disaffection or revolt. These were the grounds on which the measure was taken in 1855. The hon. and learned Gentleman had asked what circumstances had occurred to prevent the present claimant from occupying the same position as his predecessor. He had stated the reasons, nor were there any circumstances in the conduct of Azeem Jah to counteract these reasons. He had managed for a time his nephew's affairs. Lord Harris stated in his Minute that there had been gross and wasteful extravagance on his part, and that an amount of debt had been incurred which was almost irretrievable, and there could be little doubt that the tendency of matters was to grow worse. The only question, therefore, was whether this grant could be revoked without a breach of faith. Now, the hon. and learned Gentleman had gone into a long historical summary, and had dwelt on the great services rendered to the English by this family; and the English were often spoken of as if they had dispossessed native hereditary princes who held their territory after a long, uninterrupted, and peaceful succession. But that was by no means the case. Within four years there had been half-a-dozen persons calling themselves Nawabs—the truth being that the Nawab of the Carnatic was the Lieutenant of the Nizam who was the Governor of the southern part of India on behalf of the Mogul Emperors of India, and he at his pleasure appointed a person to govern the Carnatic under him. No doubt there was a tendency in the office to become hereditary. The son had the means of collecting treasure, by means of which he sometimes bribed the superior power to appoint him, and at other times gathered a military force together and became a rival with the person appointed. The history of India was full of instances of struggles of this kind for the Nizamship and the Nawabship, in which one man after another was poisoned, killed, or murdered in rapid succession. Mahomed Ali, the son of a former Nawab, who was a perfect stranger to the Carnatic, fought in alliance with us against the French, who supported the claims of a rival candidate. The supremacy of France and England was, in fact, fought out under the names of rival candidates in the Carnatic and the Deccan. Mahomed Ali, then, fought with us, not because he was attached to us, but because it was his interest to remain faithful to us, and because it was by our assistance alone that he could hope to maintain his position. There were rival candidates also for the Nizamship. Our man was murdered, the candidate supported by the French was killed; then a couple more were set up. At last the whole thing was settled, without the slightest reference to the claims of the candidates, by the Treaty of Paris and by a compromise, the French agreeing to acknowledge our man for the Carnatic while we accepted theirs for the Deccan. Our man, Mahomed Ali, remained in the Carnatic, but the French candidate for the Deccan whom we had engaged to acknowledge was murdered by his rival, and our candidate was left in undisturbed possession. This was the peaceable, hereditary possession, transmitted from father to son in an uninterrupted line, which the English intruders were supposed to have put an end to. After the Treaty of 1763, the English rewarded Mahomed Ali by obtaining from the Mogul an acknowledgment of independence in his favour. Up to this time he had been faithful, that being his clear interest. The English Government divided the power and authority in the Carnatic; and perpetual difficulties were the result. Then came the second war with Tippoo Saib. Mahomed Ali died before it began, but Lord Wellesley declared that his son, Omdut-ul-Omrah could not have been more hostile to the English, his benefactors, if he had been in league with the enemy. This was matter of fact and history, and the explanation only came afterwards, when, at the taking of Seringapatam, evidence was discovered proving the fact of treacherous communications between Tippoo Saib, who was the known and inveterate enemy of the English, and Mahomed Ali and his son. Mr. Mill, the historian of India, doubted this. But was Mr. Mill or a Committee of this House able to form an opinion of such value as that of the men named by Mr. Mill himself? Lord Clive, Lord Wellesley, Sir John Malcolm, and some twelve or fifteen men whom Mr. Mill himself described as the foremost men of India, were all convinced of the treachery of Mahomed Ali and his son, and recorded their opinions and acted accordingly. No inquiry and no investigation by a Committee of documents, which probably, they could not understand, would at all equal the testimony of such men as these. To fathom the depths of Oriental intrigue and treachery was at all times difficult; but this was as clear as anything of the time could be made, and he did not see how anybody at this period could doubt it. The consequence was that the Government of India considered themselves perfectly entitled to deal with the Carnatic as forfeited; and Lord Clive announced his intention of taking possession of it in the name of the Government. Lord Wellesley, however, preferred doing this under the guise of a treaty, for in those days all these arrangements were in the shape of treaties, and made a stipulation with the person whom he put up to sign that treaty; but all that Lord Wellesley proposed to give him was for life, and no more. The hon. and learned Gentleman said that person who signed this treaty succeeded by hereditary right. He was not the heir, and had no hereditary right at all, and he himself disavowed that he had any, admitting that whatever hereditary rights had been in the family were forfeited by the conduct of Omdut-ul-Omrah; and that what he had he took as a free gift from the Government of India. Lord Wellesley was a master of statesmanship, and knew perfectly well what he was doing. There were no words expressive of hereditary right in the entire of the document on the death of this man, the Government of Madras examining the document, considered themselves precluded from acknowledging his son, and asked the Government of India what they were to do. The Government of India directed them to place the son of the deceased prince in his father's place, a similar transaction took place in 1825. In both cases it was an act of grace and favour on the part of the Government. In neither case was it a matter of right under the treaty. Lord Dalhousie stated that on examining other treaties made about the same time with other princes for similar purposes, he found some in which Lord Wellesley used the words "heirs and successors," and others in which those words were omitted, and Lord Dalhousie inferred, therefore, that Lord Wellesley did not mean to give in a treaty in which those words were omitted the same rights as were intended to be conferred by other treaties, in which those words were inserted. It was not easy to conceive what course Lord Wellesley could have taken to make his meaning more plain, and to preclude the possibility of an hereditary claim being urged. The Treaty of 1801 conferred no hereditary right of succession, but left the Government at liberty to do what they thought expedient on the occurrence of each vacancy, and though in 1819 and 1825 they did think it expedient to place members of Azeem-ul-Dowlah's family on the Musnud, in 1855 the scandal had so much increased and the evils became so apparent that the Government, possessing still the same authority as in 1819, thought it expedient to declare that this dangerous and mischievous state of things should not be continued. As regarded Lord Harris it was quite unnecessary that he should say a word in defence of his character after the able and eloquent observations of the hon. Baronet the Member for Kent (Sir Edward Dering), the force of which he should only weaken by attempting to add anything to them. Lord Dalhousie likewise needed no defence at his hands; he was one of the ablest Governors that ever swayed the destinies of that great empire—a far-seeing, sound-judging man; and to the Minute which he drew up on this very subject he had never seen any answer given. The case came home, and he had caused the records of the Court of Directors to be searched, with a view of ascertaining whether among them there had been any difference of opinion on this point. Some members of the Court of Directors, who happened now to be members of the Indian Council, had told him that the Report was agreed to with only a few verbal alterations, as, indeed, appeared upon the face of the draft, and was unanimously approved by the Court of Directors and sanctioned by the Board of Control in 1856. In 1862 he was asked to reverse the decision of six years before; and he had declined to reverse a decision so deliberately made and by such authorities as he had named. Was he to be blamed, therefore, for following such great authorities? In a former case of the Mysore princes it had been said that he was guilty of great extravagance in the allowance which he assigned for them; now when he did more he was accused of parsimony. The first thing which had been done for Azeem Jah was to pay £420,000 debts. He had been relieved from the maintenance of anybody except his own family, and having had under the old system an income of £4,500, the Indian Government proposed to give him £10,000, which he had increased to £15,000. It was said that he extravagantly increased the stipends of the Mysore princes. In their case there were one son, twenty-two grandsons, and thirteen great grandsons — that was to say, thirty-five heads of families in all; and the ultimate provision for them amounted to £17,000 a year, whereas Azeem Jah and his single family had £15,000. The hon. Member for Windsor (Mr. Vansittart) accused him of having endorsed all the statements made by the hon. Member for Southwark (Mr. Layard) when he brought forward the claims of Azeem Jah. What he had stated was that further information was required, but that in which he had entirely concurred with him was in thinking it would be unreasonable to starve the prince into submission by withholding from him the means of maintaining himself. The Nawab had been at liberty to draw the whole of his stipend if he chose. Last year it was said that he had taken no money; but though he had not accepted the situation, as Sir Charles Trevelyan once said, he had drawn the money. Whether any part of it had been applied in placarding the towns of Lancashire and trying to persuade the people to think that their cotton supply was contingent on his restoration to the throne, as he heard had been done, he would not say, but most certainly it had not been applied in paying his debts. It had also been said that it was not Lord Dalhousie's decision, but only his own that was questioned. What difference there could be between Lord Dalhousie's decision and his own, he was at a loss to comprehend, except that the case was much stronger now than at the time when Lord Dalhousie's decision was given. The existence of this class of princes in India was only a possible danger then; experience had proved—in the case of the King of Delhi—that it was actual danger. To reverse a decision of the Indian Government confirmed by the House required a case ten times stronger than one upon which a decision might be asked for in the first instance. Lord Wellesley, Lord Clive, Sir Thomas Munro, Lord Harris, Lord Dalhousie, the Court of Directors, and Lord Lyveden had all been of the same opinion. There were no grounds shown upon which he ought to reverse a decision arrived at by authorities of such weight and character. Nothing could be so dangerous or mischievous to our Indian empire as to create a belief that a decision once given by the Indian and approved by the Home Government might be unsettled or shaken. Remembering the tenure by which India was held, he earnestly entreated the House not to sanction such a Motion, and thereby establish a precedent so fraught with danger to the stability of our power in India.

COLONEL DICKSON regretted that he

had heard nothing in that discussion to justify the course pursued by the Government in this case. He agreed with the hon. Member for Kent as to the high character of the Governors who had given an opinion on the subjects, but he might use the words of the hon. Member below him, when he said that however honourable and upright they might be, there seemed to be some disturbing medium through which they viewed questions of this sort when in India. The right hon. Baronet (Sir Charles Wood) had talked of Oriental intrigue and duplicity, but surely the conduct of England in this matter had been characterized by these very qualities. The real question was, had Azeem Jah any hereditary title under the Treaty of 1801—and it could hardly be denied that the treaty was hereditary—when the claim under it had been allowed, and the money paid for fifty-five years. It was not pretended that any article of the treaty had been broken by Azeem Jah, or that there was any fault to be found with him, but the treaty was sought to be set aside upon the ground of a supposed traitorous correspondence that occurred fifty years ago. Another reason was that he, having an income of £115,000 a year, was in debt £300,000; but if that were criminal who in that House would escape scot free? He looked upon what had been done as the greatest act of injustice ever committed by a Liberal Government, and in the name of English honour and justice protested against it.

Colonel SYKES said, that he was Chairman of the Court of Directors at the time in question, and signed the Despatch complained of Ministerially. If he had done so in any other sense he would have belied the whole course of his conduct as one of the administrators of the affairs of India; for he had always to the utmost of his power been a supporter of the rights of the Native princes in India, and he could not help thinking that the observations which had fallen from the Solicitor General, to the effect that it was bad policy to uphold in that country the titular princes who existed there, were most mischievous in their tendency, as well as in direct opposition to the proclamation of the Queen on assuming the government of India. There were in India many of those princes, and what, he should like to know, could be their feelings if not those of distrust and doubt when they found that such expressions had been used by an Officer of the Crown? As to the claims of Prince Azeem Jah, they were, he maintained, good, as based on the original grants to his family, embodied in treaties with the Emperor of Delhi and the Soubadar of the Deccan. It will suffice to quote a few words from the treaty of perpetual alliance and friendship concluded in February, 1768, between the East India Company and the Soubadar of the Deccan (the Nizam) to prove that the rights of the Nawab of the Carnatic had been long confirmed and acknowledged by the Emperor of Delhi and the Nizam. The 7th article commences as follows:—

> "The exalted and illustrious Emperor Shah Allum, having been pleased, out of his great favour and high esteem for the Nawab, Wallah Jah, to give and grant to him and to his eldest son, Moyin-ool-Moolk, Oomdut-ool-Dowlah, and their heirs for ever, the Government of the Carnatic, Payeen Ghaut, and the countries dependent thereon by his Royal Firman bearing date the 26th August 1765 in the sixth year of the said Emperor's reign, and the Nawab, Asif Jah Nizam-ool-Moolk, &c., having also out of his affection and regard for the said Wallah Jah, released him, his son, Moyin-ool-Moolk, and their heirs and successors for ever from all dependence on the Deccan, &c."

This quotation is sufficient for the argument. The Emperor of Delhi—equally the Lord of the Nizam and the Nawab of the Carnatic by Royal Firman in an Altumgha grant, confers the government of the Carnatic upon Wallah Jah and his heirs for ever. An Altumgha means the Royal seal to a Royal grant in perpetuity descending to posterity, and never contemplates the extinction of family rights. Whatever personal rights the Nawab of the Carnatic gave up, therefore, to the Company by the Treaty of 1801 he had not any power to extinguish the rights of his heirs under the Altumgha grant, and upon such a grant before a proper tribunal the present claimant would be enabled to establish his rights. Some such tribunal, independent equally of the Court of Directors, the Board of Control, and the Government of India, he (Colonel Sykes), had often advocated while a member of the Court of Directors. Had there been such a court, half the odium thrown upon the Company for annexations would have been avoided; and with respect to the present claimant, he trusted his case would be referred to a Select Committee, when his claims could be more fairly investigated than they could possibly be in that House, where the question was argued by hon.

Members more or less in the spirit of partisans.

Question, "That a Select Committee be *appointed*," &c., put.

The House *divided:*—Ayes 38; Noes 53: Majority 15.

METROPOLITAN MAIN DRAINAGE [GUARANTEE OF REPAYMENT OF MONEY] BILL.

Resolution [March 13] *reported*.

"That it is expedient to empower the Commissioners of Her Majesty's Treasury to guarantee the repayment of any money that may be borrowed under the provisions of any Act of the present Session for extending the period for borrowing money under 'The Main Drainage Extension Act, 1863,' with the interest thereon."

Resolution *agreed to*.

Bill *ordered* to be brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, and Mr. Peel.

Bill *presented*, and read 1°. [Bill 73.]

House adjourned at a quarter before Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, March 15, 1865.

MINUTES.]—Public Bills—*Ordered*—Chelsea Bridge Toll Abolition.

Second Reading — Metropolitan Main Drainage Extension * [73].

Withdrawn—Juries in Criminal Cases [24].

JURIES IN CRIMINAL CASES BILL. [BILL 24.] SECOND READING.

Order for Second Reading read.

Sir **COLMAN O'LOGHLEN**, in moving the second reading of Juries in Criminal Cases Bill, said, the measure might be described as a chapter of the proposed digest of the unwritten law, and would introduce a very desirable improvement in our present judicial system. The law had hitherto fluctuated with respect to the power of Judges to discharge juries who could not agree to a verdict in criminal cases. In the days of Lord Coke it was considered that a jury once sworn in a criminal case could not be discharged under any circumstances until they had found a verdict. But in modern times Judges had assumed a right to discharge juries in those cases where it was found they had been locked up for a sufficient period, and that they could not agree upon their verdict. The right of the Judges to do this was questioned in the Court of Queen's Bench in Ireland in the case of "The Queen *v.* Lynch and Conway," which was tried in the year 1844. That was a case of murder, and the prisoner was twice tried. At the first trial the jury disagreed, and the Judge discharged them, merely because they could not agree. At the second trial the prisoners were found guilty; but he (Sir Colman O'Loghlen), who had acted as one of their counsel, contended that they could not be tried a second time, inasmuch as the jury had been illegally discharged on the former occasion. The point came on for argument on a writ of error before the Court of Queen's Bench in Ireland, who decided that a jury sworn in a capital case could not be discharged under such circumstances. The result was that the prisoners were allowed to go free, the Law Advisers of the Crown not thinking themselves justified in bringing the subject before the House of Lords on appeal. Since that time juries had not been discharged in Ireland in capital cases until they had been locked up such a time that it was proved by medical evidence that it would be dangerous to some one or more of the jurymen to keep them locked up for a further time. The authority of the case of "The Queen *v.* Lynch and Conway" had never been overruled by any judicial decision. In England, in the year 1849, a somewhat similar point was raised before the Court of Queen's Bench in the case of "The Queen *v.* Newton." The jury in that case were discharged, they not having been able to agree to a verdict; and before the prisoner was brought up for a second trial a writ of *habeas corpus* was issued on his behalf on the ground that the jury had been improperly discharged at the preceding trial. The Court of Queen's Bench refused to discharge the prisoner before the second trial should take place. At that second trial the prisoner was acquitted, and no further steps were taken in the matter. The point at issue, therefore, could not be considered as decided in that case. In the "Queen *v.* Davidson," in the year 1860, the same point was raised; and the Court decided that the Judge had the power to discharge the jury; but they intimated at the same time that they did not then mean of overrule the decision in the case of "The Queen *v.* Lynch and Conway," because the case before them was one of misdemeanor, while the other was one of felony. In the year 1861 a prosecution was instituted in the case of "The Queen *v.* Charlesworth," by order of the House of Commons, for alleged bribery. One of the witnesses then produced by the Attorney General refused to give evidence; the Crown could not supply the omission which thus arose; and the Judge took it upon himself to discharge the jury, and adjourned the trial till the next assizes. The case was argued before the Court of Queen's Bench, and the Court unanimously held that the Judge had power to discharge the jury, but were divided as to whether the Judge had in that case properly discharged the jury, two of them holding that he had, while one of them came to the opposite conclusion, and the Lord Chief Justice said that he had been unable to make up his mind upon the subject. On that occasion the Lord Chief Justice stated that "with regard to the right of a Judge to discharge a jury, it was impossible not to feel that the law was, to a certain extent, in a most unsatisfactory condition." He (Sir Colman O'Loghlen) believed that these circumstances afforded a perfect justification for his bringing forward the present measure. The Bill was a sort of digest, and would put into one short Act the whole law upon the subject of discharging or detaining juries in criminal cases. By one of its provisions a Judge would have the power of allowing refreshments to a jury after they retired; and an end would thus be put to the present barbarous law, that a jury in a criminal case, after their retirement, should be kept without meat or drink, or fire. He saw from the assize intelligence that a jury had recently been locked up for thirty hours without refreshment. Several Judges had repeatedly declared that such a relic of barbarous times ought to be got rid of. By the first clause in the Bill it was provided that in criminal cases a jury should not separate without leave, but that if they did separate that fact should not invalidate the verdict. The second clause provided that if a jury separated without leave, the Judge might, at his discretion, either continue the trial with the same jury or discharge them and swear in a new jury; and in either case might inflict such fines as he might think proper on all or any of the jurors who may have so separated without leave. The third clause provided that where a criminal case shall last more than one day the Judge might either keep the jury together or allow them to separate. According to the present state of the law a jury might be allowed to separate if the trial lasted for more than one day in cases of misdemeanor, but not of felony. He could suppose cases of felony in which the Judge might, without any bad result, allow the jury to separate, and he was of opinion that the Judge should have that power. In Ireland in cities, the county cases were tried by statute in a court-house locally situated in the city, and the question had arisen, whether a Judge trying a county case in such a court-house could send the jury to an hotel in the city, because the hotel was out of the jurisdiction of the county sheriff. A trial had taken place last year in Dublin in which the jury were locked up for three or four nights in the court-house because the case was not a city but a county case. He would, therefore, give power to the Judge to direct that the jury might be locked up either in the court-house or in an adjoining hotel. The 4th and 5th clauses involved a principle which the House might scarcely wish to sanction—whether the Judge ought to have the power to discharge a jury, when once sworn, before they had retired to consider their verdict. He admitted that such a power was liable to abuse, and in political cases it had been abused; when, for example, Chief Justice Scroggs discharged the jury in order to enable the Crown to get up a better case against the prisoners. He would not contend for such a power; but he desired to submit the question to the House, and abide by their decision, whether it was proper that the Judges should have it. In the case of "The Queen *v.* Charlesworth," the Judges decided that they had the power, but that it ought not to be exercised without strong reasons. By the 5th clause the Judge was required in certain cases to certify the cause of the discharge to the Lord Chancellor. The 6th clause met the case of a Judge being unable to continue the trial, when he should propose that the jury should be discharged. The other clauses provided that after a jury had retired they might be discharged in case of the illness of one of the jurors; that in case of disagreement the Judge might discharge them if he thought fit after they had been kept together for a reasonable time; that there should be no appeal from the decision of the Judge; and that in all cases where the jurors had been discharged the accused might be tried again. The only objection that he could conceive against the Bill was that it was of a declaratory nature, but he did not think that was any reasonable objection to the

Bill, and he begged to move its second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Colman O'Loghlen.*)

THE SOLICITOR GENERAL said, he regretted that he could not assent to the second reading of the Bill, and hoped that his hon. and learned Friend would be content with having made his statement, and would not press the Bill to a second reading. His hon. and learned Friend said that this Bill was to some extent a digest of the law relating to jurors in criminal cases. But he (the Solicitor General) begged to say that it had no pretensions to be called a digest, for there were a great many points of the law relating to jurors that were not touched upon at all. A digest of the law relating to jurors would have to deal with their qualifications, the mode of summoning juries, and a number of other questions of great importance, upon which the Bill did not touch. With respect to so much of the Bill as was declaratory, he could not help thinking that his hon. and learned Friend himself had stated strong objections. His hon. and learned Friend was opposed to unnecessary legislation, and, no doubt, where the law was settled, the multiplication of Acts of Parliament was mischievous. Now, there were many cases contemplated in this Bill with regard to which declarations were not at all required. They did not want a declaration that a Judge had power to fine jurors, or that jurors might be discharged in cases of illness, or that if a jury could not agree the Judge might discharge them, or that where a jury was discharged the trial should be held to be null and void. All these declarations were quite unnecessary, and therefore mischievous. But with respect to those portions of the Bill which were not declaratory, there were also some serious objections. The Secretary for the Home Department had thought it his duty to consult the Chief Justices with regard to the provisions of the Bill, and they were both opposed to them. There was one provision which might possibly be salutary—namely, that contained in the 7th clause, to the effect that after a jury in a criminal case should have retired to consider their verdict, it should be lawful for the Judge to order them reasonable refreshment. If that provision were adopted in civil as well as criminal cases, he (the Solicitor General) was inclined to think it would be salutary, and he thought that his hon. and learned Friend would be well advised to withdraw this Bill and confine his attention to a measure which should embody that provision. As to providing for the case of a jury separating without leave, as the Chief Justice of the Queen's Bench had remarked, that was a case which had never yet arisen; so with respect to a Judge having a fit during a trial, that case had never arisen, and, if it should, there would not be the slightest difficulty about the matter, for, beyond doubt, a new trial would take place. His hon. and learned Friend's Bill would give the Judge power to allow the jury to separate in cases of felony or treason which should last more than one day. He (the Solicitor General) was not quite certain that it would be desirable to intrust the Judges with that power. Every one believed that the Judges in our time always acted from the best possible motives, but there might be cases in which such a discretion in the hands of the Judge might not be well exercised; and he was not, as a rule, in favour of giving to the Judges more power than they now possessed. The power to allow the jury to separate, or go to different hotels, where they might, perhaps, converse with other persons about the case would be one which it would be hardly safe to confer. It was better that the jury in such cases should be kept together, though at some inconvenience to themselves. He would next refer to Clauses 4 and 5. Clause 4 especially raised a grave constitutional question. It was to the effect that after the party accused has been given in charge to a jury on the trial of any criminal case, and before the jury have retired to consider their verdict, it shall be lawful for the Judge to discharge the jury then impanelled if the Judge shall consider that a case of evident necessity for such discharge has arisen, or shall deem it right for the purposes of justice to order such discharge. It would be highly inexpedient to invest the Judge with that power. There had been times when Judges were under the influence of the Crown, and when this power was exercised in a manner most injurious to the subject. He might refer to the case of Sir John Fenwick and Mr. Whitebread, where the parties were put on trial for treason and the case of the Crown was not proved, and where Chief Justice Scroggs, to give counsel for the Crown further opportunity of proving their case, discharged the jury, and the prisoners were again put on trial and convicted. That practice was not uncommon before the Revolution, but it was disapproved of by Lord Hale and other very eminent Judges, and was not the practice of recent times. No doubt it would be convenient for the Law Officers of the Crown, but it would be extremely dangerous to the subject, and was a power that ought not to be exercised. His hon. and learned Friend was not correct in stating that in the case of the Queen *v.* Charlesworth, the Court of Queen's Bench had decided that the Judge had power to discharge the jury. In that trial a witness did not appear, and Mr. Justice Hill, thinking that he had been tampered with, took upon himself to discharge the jury. The case came subsequently before the Court of Queen's Bench, and his hon. and learned Friend was not correct in saying that the Judges decided that they possessed the power. The sole question decided was that the jury having been discharged, rightly or wrongly, the defendant could not say that he had been acquitted. Two of the Judges thought it clearly wrong to discharge the jury; another thought it was right, and another doubted; but the point upon which all were agreed, was that Mr. Charlesworth could not avail himself of the matter so as not to be tried again. It would be better to leave this very difficult question alone. He ventured to predict that it was a power which very few Judges would ever take upon themselves to exercise again; but if it should be exercised under peculiar circumstances, let it be exercised on the responsibility of the Judge. If they made it law by a statutory enactment it would become the ordinary course of proceeding. Whenever a case for the Crown was breaking down, the counsel for the Crown would apply to the Judge to discharge the jury for the ends of justice. If such an application were made, the Judge might say the Legislature gave him the power to grant it for the promotion of the ends of justice, and he might think the counsel for the Crown should have another opportunity for bringing forward their case. The proposal was open to a grave constitutional objection, and he (the Solicitor General) was opposed to it. Clause 5 would follow Clause 4; but, as Clause 4 was objected to, Clause 5 was unnecessary. The following was the opinion of the Chief Justice on this subject:—

> "The power of discharging the jury might be exercised in a case about to fail, and a man might be twice put upon trial contrary to the fundamental principles of the criminal law."

As the Bill was open to so many objections it was not desirable to press the second reading, and he hoped that his hon. and learned Friend, to whom they were indebted for bringing on this discussion, would take the same view of the question. He suggested to his hon. and learned Friend to confine himself to the smaller enactment containing the provisions he (the Solicitor General) had indicated, and to withdraw the Motion for the second reading of this Bill.

MR. DARBY GRIFFITH said, he supposed the observations of the Solicitor General would be conclusive as to the fate of the Bill, but there was a point in connection with the subject to which he wished to direct attention, and that was the treatment which juries received with respect to payment of their expenses. Common juries hitherto had been treated in the most barbarous manner. They were kept without food, fire, and light, until they had agreed upon their verdict, and if they could not agree, the practice used to be that they were drawn upon a hurdle to the border of the county and there dismissed, and we did not give them the least compensation for attending in criminal cases. He had been lately in a court where the Judge had remarked that barristers and Solicitors, prosecutors and witnesses, and all the officials connected with the carrying on of a trial were paid except the jurors, who received nothing at all. [Mr. HUNT: The Sheriff?] That was quite a different thing. The sheriff was supposed to seek his office on account of the dignity and importance attached to it, and at least was not of that class of life to whom a small expense was an object, but the jurors came from the same class as the prosecutors. And, with respect to the sheriff, he begged to say that he had shown his sympathy with that officer, by exerting himself for the abolition of javelin men and such paraphernalia, and thus reducing the expenses to which he had been subject. He hoped, as the Solicitor General was willing that reasonable refreshment should be given to jurors, that the question of remuneration for them would be also favourably considered, as it came within the same category.

MR. LONGFIELD thought it would be unwise to press this Bill after the declaration that had been made by the learned Solicitor General. This Bill was not a digest, as the learned Solicitor General had assumed, nor was the Bill introduced as such, but merely to remedy certain defects which existed in the present jury system. He was able to confirm the statement of the hon. and learned Baronet, that owing to the uncertain state of the law upon this subject, two of the most atrocious murderers that were ever convicted in Ireland, were discharged after conviction. Judge-made law and Judge-made practice were most unsatisfactory things, and this Bill sought to remedy it by a declaratory enactment. He thought it was objectionable that it should be left to the Judges to decide whether they had or had not certain powers with reference to juries.

Motion for Second Reading, by leave, *withdrawn*.

Bill *withdrawn*.

CHELSEA BRIDGE TOLL ABOLITION.

LEAVE. FIRST READING.

SIR JOHN SHELLEY moved for leave to introduce a Bill for the purpose of abolishing the toll taken on foot passengers passing over or on Chelsea Bridge. The subject, he said, was not a new one, and he thought that when the Bill came on for a second reading he should be able to show that the circumstances in favour of the abolition of the toll were stronger now than they were in 1858.

Bill to abolish the Toll taken for Foot Passengers passing over or on Chelsea Bridge, *ordered* to be brought in by Sir JOHN SHELLEY, Mr. LOCKE KING, and Mr. LOCKE.

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Thursday, March 16, 1865.

PUBLIC BILLS—*Second Reading*—Felony and Misdemeanor Evidence and Practice (22); Industrial Exhibitions * (28).

Select Committee—On Bankruptcy and Insolvency (Ireland) Act Amendment * (20) *nominated*. (See p. 1646.)

Third Reading—British Kaffraria * (34).

FELONY AND MISDEMEANOR EVIDENCE AND PRACTICE BILL.

(NO. 22.) SECOND READING.

Order of the Day for the Second Reading read.

LORD CHELMSFORD, in moving the second reading of this Bill, said, that it had come up from the House of Commons, and explained its object to be to assimilate the procedure in criminal to that which prevailed in civil cases, so far as to give to the counsel for a prisoner the right of making a second speech at the close of the evidence for the defence. When a similar measure was before their Lordships a few years ago, it was argued that no such alteration as was proposed was necessary, inasmuch as the nature of the evidence in criminal cases was always known beforehand from the depositions taken before the magistrates, but then that argument did not apply to those cases, which were not unfrequent, in which the accused person reserved his defence till the day of trial. It was also contended that if the prisoner's counsel were permitted to make a second speech by way of summing up the evidence on behalf of his client the proceedings would be unduly protracted; but that he maintained was no valid objection where the proper administration of justice was at stake. When, he might add, the measure to which he had already alluded had gone into Committee an Amendment had been moved by his noble Friend Lord Wensleydale to the effect that the counsel for the prisoner should have the right of reply only in those cases in which it seemed to the Judge that the evidence rendered such a course expedient; but it was, he thought, undesirable that any provision should be introduced which would cause the mode of proceeding to be adopted to be so much a matter of uncertainty. The noble and learned Lord concluded by moving the second reading of the Bill.

Moved, "That the Bill be now read 2ª."—(*Lord Chelmsford*.)

LORD CRANWORTH thought that, in ordinary cases, allowing the counsel for the prisoner to make two speeches would lead to great waste of time. He had never heard of a case in which there was any reason to believe that a prisoner had been convicted who would not have been found guilty if his counsel had been allowed to make two speeches on his behalf. Anything which tended to lengthen the proceedings of criminal trials threw obstacles in the way of prosecutions, and it was on that ground alone that he objected to the clause in this Bill which would increase the number of speeches. That objection did not go the principle of the Bill, many of the provisions of which he entirely approved, and therefore he should not oppose the second reading.

LORD CHELMSFORD said, that at the trial of Mr. Rumble for a breach of the Foreign Enlistment Act, his counsel, Mr. Bovill, expressed his regret that he had not the opportunity of summing up his evidence, and the Lord Chief Justice said that, in his opinion, there was not the slightest reason for the existing distinction between the practice in civil and that in criminal cases.

LORD CRANWORTH asked, why then did not the Lord Chief Justice permit Mr. Bovill to sum up. He knew of no law which would have prevented his doing so.

LORD CHELMSFORD: Would it not be better to make a law at once?

THE LORD CHANCELLOR said, that as there would not be many cases in which any necessity for a summing up would arise, he thought that it would be better to leave the matter to the discretion of the Judge. It was desirable that the rules of procedure, especially in respect to evidence, should be the same in criminal as in civil proceedings; but there were some details of the Bill which would require consideration in Committee.

LORD CHELMSFORD said, that the Amendment which the noble and learned Lord seemed to recommend had already once proved fatal to the Bill.

THE LORD CHANCELLOR should certainly not propose an Amendment which experience showed was likely to be fatal to the Bill.

Motion *agreed to.*

Bill read 2ª accordingly, and *committed* to a Committee of the whole House on *Tuesday* next.

TURKEY AND PERSIA—THE BOUNDARY NEGOTIATIONS.

ADDRESS FOR PAPERS.

VISCOUNT STRATFORD DE REDCLIFFE rose, in pursuance of the Notice which he had placed on the table a few days ago—to make Inquiry of Her Majesty's Government as to the State of certain Negotiations respecting the joint Boundary between Turkey and Persia; and to move for Papers relating to the Construction of an official Map of that Frontier. The subject was not one of immediate urgency, but still it was one of very considerable interest and importance. The negotiations in question came under his notice twenty years ago. Those negotiations regarded the great and extensive boundary between the two Empires of Turkey and Persia, a subject on which no small interest existed at the time, and still existed, with regard to the policy of this country in the East. The policy which had been pursued by successive Administrations during the last twenty years had now ceased to have for one of its principal objects the maintenance of peace in that part of the world known by the name of the Levant, though somewhat extended beyond the usual acceptation of the term, and embracing the relations between those two great Empires which he had named. There was always a great proneness between those two Powers to get into quarrels one with the other; and unfortunately a frontier of 700 miles in length gave ample opportunities for dissension and at times even for open hostility. At the period to which he referred, after a great deal of bickering between the two Governments, a quarrel broke out on the frontier; and it required immediate action on the part of a friendly Government in order to prevent actual hostility from taking place, to a degree which threatened, not only to interrupt the tranquillity of that part of the world and even to effect materially the interests, particularly the commercial, interests of Europe. At that time Russia was in the position of a leading mediating Power towards those two Empires. It was not necessary to point out to their Lordships that there was some degree of risk in leaving so great an opportunity of interfering in the affairs of those two Empires at the discretion of a Power so often tempted as Russia then was to encroach on the territory or the independence of her neighbours. It became, then, a matter of pressing duty for Her Majesty's Ambassador to act on the spot, without waiting for the instructions of his Government, as there were no communications by steam or electricity in those days, and delay might have compromised the peace of the whole region. Under such circumstances, he thought it his duty to propose to the Russian Minister that he should consent to mediate jointly with Her Majesty's Ambassador. Fortunately he had to deal with a gentleman of very conciliatory character. Fortunately, too, the instructions of that gentleman permitted him to accede to the proposal of his British Colleague. The two Ambassadors, therefore, joined in trying to persuade the Turkish Government to adopt conciliatory measures with a view to preventing hostilities, and ultimately effecting a satisfactory accommodation. It became necessary to apply to the Sultan himself; and the Sultan, as well as his Government, were finally disposed to accept the proffered advice. At the same time there were great difficulties, from the animosity existing between the two parties, the distance from the scene of mediation, and other circumstances. However, a Commission was appointed with the consent of the two Governments; and the transactions which led to it, as well as the Commission itself, were subsequently confirmed by Her Majesty's Government. Negotiations ensued, which, like all negotiations in that part of the world, were protracted to a great length. In the end, however, they were successful; and in the autumn of 1847 the result was made known as the Treaty of Erzeroum. It then became a question how the treaty should be carried out; and it was decided that fresh power should be given to the Commissioners, the Russian and the English still acting together and giving their advice and assistance to the two Mahomedan Plenipotentiaries, on whom devolved the duty of carrying out the negotiations. Such, however, was the animosity prevailing between the principal parties that, notwithstanding the conclusion of the treaty, the local negotiations respecting the frontier gave birth to renewed difficulties. At last it was found necessary to resort to the expedient of removing the negotiations from the political and diplomatic ground to one of a purely scientific character. Accordingly, it was agreed by the two Governments that a map should be constructed of the whole frontier, extending from the summit of Mount Ararat to the head of the Persian Gulf. One of the great difficulties to be encountered arose from the barbarous nature of the different tribes who inhabited the border countries on each side, their nomadic habit of shifting their quarters at different seasons from one side to the other, and their doubtful allegiance. It was, therefore, an object of diplomacy to frame the treaty in such a manner that these nomadic tribes should be fixed by the settlement, so as to prevent the quarrels which were so frequent among them, and to preserve from consequent disturbance the peace of that quarter. The British and Russian Commissioners were ordered by their respective Governments to repair to the theatre of discussion, and, with the assistance of engineers and other suitable officers, nominated by the two Mahomedan Governments, to carry out this important work. It was begun, and had been carried on to a certain extent, when the Crimean war broke out; and on that occasion he (Lord Stratford) suggested to the noble Lord then at the head of the Foreign Office that, perhaps, the Russian Government might accept the offer of continuing the operation notwithstanding the war. The Russian Government, however, looked on the matter in a different light; and the consequence was that the proceedings were interrupted for some years. The Crimean war having come to an end, the negotiations were renewed, and had been going on for several years at a considerable expense of trouble and money. Some four years ago he was informed, in reply to a question which he asked in the House, that the negotiations were still on foot; and he therefore deemed it the more important that the House should be informed whether, at this moment, the same negotiations were proceeding; whether the map (which was on a very large scale and very elaborate) was likely to be soon completed; and also, whether the Government intended to lock it up in the archives of the Foreign Office, or whether, by rendering it accessible to the public, they would make a large and valuable addition to geographical science? He was glad to have the opportunity, as this country had been so often placed in opposition to Russian policy, of bearing testimony to the fact that from the beginning of these negotiations to the end the two Governments had acted most cordially together, Russia showing an earnest desire to co-operate with England for the preservation of peace in that part of the world. What he wished, in conclusion, to ask the noble Lord at the head of the Foreign Office was, whether the negotiations were still pending with respect to the boundary between Turkey and Persia; whether the frontier map was in course of completion; and whether when finished it would be made accessible to the public? Without asking for all the paper, which, referring as they did to a distant period, could only be produced with much difficulty and at a large expense, he hoped the noble Lord would consent to lay upon the table Copies of the Treaty itself, together with his (Viscount Stratford de Redcliffe's) instructions and despatches in respect thereto.

Moved, "That an humble Address be presented to Her Majesty for—

"Copy of the Treaty concluded at Erzeroum between Turkey and Persia in October 1847: Also, "Copy of Sir Stratford Canning's Instruction to Her Majesty's Commissioner for the Boundary, dated 9th December 1848: And also,

"Copy of Sir Stratford Canning's Despatch, No. 280, to Viscount Palmerston, dated 17th September 1851; together with the Memorandum enclosed in it:"—(*The Viscount Stratford de Redcliffe.*)

EARL RUSSELL: The noble Lord has asked me a question upon a subject of considerable interest, and I shall no doubt be able to afford him all the information he can desire relative to the matter. The negotiations have lingered a very long time, but the map has been slowly approaching completion, although it has been a source of considerable difficulty. The work began in 1843, when British Commissioners were appointed, and in 1847 the Erzeroum Treaty was made, and upon the execution of that treaty the British and Russian Governments agreed that they would give advice to Turkey and Persia in the matter. The noble Lord is quite justified in describing the question as one of great importance, for the settlement of the disputed boundaries between Turkey and Persia will go far towards preventing war between those Powers. A great deal of correspondence has taken place on this subject, and among the papers is a despatch written by my noble Friend Lord Palmerston some years ago, in which a proposal was made to the Russian Government that England and Russia should agree upon a proper line of frontier, submit it to Turkey and Persia, and give their support to that Government which should adopt the line so to be submitted. I am constantly making the same inquiry as my noble Friend has just made in respect of the progress of this work; but, as my noble Friend knows, there are considerable difficulties to be overcome in fixing this boundary. I am, however, positively told that there is every prospect of the work being brought to an early termination. The last instructions stated that it would be completed by the end of the present month. Under these circumstances, I hope my noble Friend will not ask for the production of the papers. I am unwilling to put the country to any expense which can be avoided in connection with the matter; for the expense of the commissions for settling the boundary between Turkey and Persia has been very considerable. The commission at Erzeroum and Bagdad, from January, 1843, to June, 1847, cost say £7,000; the Turco-Persian Boundary Commission from June, 1848, when Colonel Williams left England, to December, 1857, when the Commission returned home from Constantinople, £33,700; the expenses incurred at St. Petersburg, from early in 1858 to December, 1862, amounted to £12,000; and those in London, from January, 1863, to this month, to £4,400; making a total expenditure for these Commissions of £57,000. My noble Friend will therefore see that the Government have not been inactive in this matter, and I trust he will be satisfied with the explanation which I have given.

VISCOUNT STRATFORD DE REDCLIFFE thanked his noble Friend for the manner in which he had received his inquiries; and he felt pleasure in saying that he thought the whole arrangement of the matter by Her Majesty's Government, as far as it had proceeded, was satisfactory.

Motion, by Leave of the House, *withdrawn.*

NATIONAL EDUCATION.

OBSERVATIONS.

THE EARL OF HARROWBY rose to call the Attention of the House to the Effect of the Revised Code of Regulations of the Committee of Privy Council for Education, dated the 8th of February, 1865, on the Education of Children under Six Years of Age. The question he had to bring under the notice of their Lordships, was one of no great magnitude; but in consequence of the system on which our grants for public education were made, persons who had objections to urge, were compelled to call attention to any matter which required explanation or amendment just as it arose. If the system on which grants were made were settled by Bills which must pass through Committee, the attention of both Houses would be called to all the details of any proposed arrangement. As it was, however, the grants being regulated by a system of Orders in Council, which had the effect of law when they had lain on the table of both Houses of Parliament for a month, there was no other course open to a Member of either House but to call special attention to any point in the regulations of the Council on which he might desire information, however inadequate it might of itself seem for special discussion. Practically the matter which he had now to bring under their Lordships' notice was, however, one of considerable importance; for, though it involved no question of principle, it had an important effect upon the prosperity of schools. As well as he remembered, when the principle of payment by results was first introduced by the Revised Code, it had been proposed that so much a head for all children should be paid to the managers of schools as the result of an examination on a day when the children were required to present themselves. Very general objection had been taken to that proposal, on the ground that it made the payment depend too much upon an examination on a particular day; and it was urged that the occurrence of severe weather which would prevent the very young children from attending on the day of examination, might deprive the managers of the reward of their labour. In the course of the discussions which took place on the subject, it was strongly argued that it was absurd in the case of children of such tender age to make the grant depend on examination, and that in regard to them it would be sufficient that the Inspector should be satisfied that there had been a good attendance, and that the children were generally well taught. It was in consequence decided that children under six years of age should be exempted from examination. A Minute on the subject was issued, which stated that for every scholar who had attended more than 200 morning or afternoon meetings of the school, the grant in the case of children over six years of age should be 8*s*. for each child, and in the case of children under six years 6*s*. 6*d*., subject to the report of the Inspector that such children were instructed in accordance with their age. There were some other conditions annexed to that Minute, and it had remained in operation till the month of January in the present year. In February of the present year a Revised Code was laid on the table, in which there were two or three alterations. No particular attention was called to them, but there was one alteration which had induced an inconvenience to which he wished to call their Lordships' attention. The previous article ran as he had read it to their Lordships, but in the new Code the words were "if under six years, and present on the day of examination." At the same time that these alterations were made, a Minute was laid on the table in reference to rural schools, according to which some doubts might arise whether these young children were required to be in attendance or not. On the whole, however, it was clear that such was the intention. The effect of this Resolution had been made retrospective, and he had a case before him in which the average attendance of children last year under six years of age amounted to eighty, but when the Inspector came in February only forty-five attending in consequence of an epidemic disorder in the place, only that number was allowed for by the Inspector. Now the effect of this regulation on the funds of schools would be very serious. The regulation was a very unwise one, and it would inflict considerable hardships upon the managers of country schools, who had no inexhaustible purses, but who made considerable sacrifices for the advantage of their poorer neighbours. Though he made no formal Motion on the subject, it was one on which their Lordships ought to express an opinion.

EARL GRANVILLE, after some preliminary observations which were not audible in the gallery, said, that when the new Code was laid on the table he had called attention to it, and had stated that there were certain verbal alterations which were necessary to explain clearly the meaning of certain Minutes. He could not understand what the noble Earl meant by retrospective action, as there had been no change in that respect. He did not deny that the rule as to the attendance of young children might work some hardship in peculiar cases, but if money was to be voted for the education of these children, he did not see how the Inspector could satisfy himself as to the sufficiency of the education given unless they attended. Of course it was impossible to have an elastic rule which would meet the case of a snowstorm happening on the day of examination.

LORD LYTTELTON said, he had received a complaint on the same subject, but his noble Friend had hardly correctly described the requirements of the present rule. His noble Friend stated that the grant in respect of infants was allowed when the Inspector was satisfied with the general state of the school as a whole. The words of the rule were that such children should be instructed suitably to their age, and in such manner as not to interfere with the instruction of the older children. Therefore it was clear that there must be an examination of some kind. He was inclined to think that the provision was too stringent. It had always been admitted that the requirement of attendance must involve some hardship, and in the case of infants the hardship would be greater. He would, therefore, urge upon his noble Friend the President of the Council the propriety of reconsidering this rule with a view to admitting some relaxation.

LORD REDESDALE also urged a reconsideration of the rule which pressed with especial hardship in the case of schools in country districts, where the attendance of infants during the winter months must necessarily be very uncertain.

THE EARL OF HARROWBY, in reply, expressed a hope that the Government would consider whether they could not mitigate the rule to some extent.

House adjourned at a quarter before
Seven o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, March 16, 1865.

MINUTES.]—SUPPLY—*considered in Committee*—ARMY ESTIMATES.

PUBLIC BILLS — *First Reading*—Chelsea Bridge Toll Abolition * [74].

Second Reading—Consolidated Fund (£175,650)*

Committee—Colonial Naval Defence [51]; Metropolitan Main Drainage Extension * [73]; Qualification for Offices Abolition (*re-com.*)* [62].

Report—Colonial Naval Defence [51]; Metropolitan Main Drainage Extension * [73]; Qualification for Offices Abolition. * [62]

Third Reading—Perth Provisional Order Confirmation * [61], and *passed.*

AZEEM JAH—PUBLIC PETITIONS COMMITTEE — FORGED SIGNATURES — SPECIAL REPORT.

OBSERVATIONS.

MR. CHARLES FORSTER brought up a Special Report of the Public Petitions Committee, as follows :—

"Your Committee having further examined the Signatures to the Petitions relating to the case of Prince Azeem Jah, think it right to state that, from information they have received, there are strong grounds for believing that the Signatures of many persons, some of them being resident in the immediate neighbourhood of the Houses of Parliament, which have been attached to the Petition of Inhabitants of the City of Westminster, presented on the 9th instant, are forgeries; they have also reason to suspect that many Signatures to other Petitions on the same subject are fictitious."

The hon. Member in moving that the Report be laid upon the table said, that, on a previous evening the hon. Member for the King's County (Mr. Hennessy) complained that in mentioning the forgery of the signatures he had taken an unusual course, inasmuch as it was common for parties to have their names written to petitions by others, and that when this came to the knowledge of the Committee they merely stated the fact in an appendix to their Report. No doubt the cases the hon. Member alluded to were violations of the Rules of the House, but the present case did not come within the same category, but was one deeply involving the right of petitioning the House. The signatures were attached to the petition without the knowledge or consent of the parties whose names they were represented to be. He therefore had a right to complain of the allusion made by the hon. Member for the King's County to his having mentioned the forgeries with a view to influence the debate on the case of Azeem Jah. On behalf of himself and the Committee, of which he was Chairman, he repudiated in the strongest terms that he or they had been influenced by any such motives. If he had been so influenced he would be rendered unworthy not only to act as Chairman of that Committee but to be a Member of any other Committee, and he had yet to learn that it was consistent with Parliamentary usage to impute motives to an hon. Member who endeavoured honestly and faithfully to discharge duties which he had undertaken at the request and for the convenience of the House. With these remarks he would leave the matter in the hands of the House. It was for them to consider whether enough had been done to vindicate the privileges of the House, or whether there should be further inquiry. If they wished for further inquiry the usual course was to refer the subject to a Committee, who should have power to examine witnesses and send for papers.

MR. COX said, that having had charge of two of the petitions he wished to say that before he presented them he adopted the same course which he did with all other petitions he was intrusted with—endeavoured, so far as he could, by examination, to see that the signatures were genuine. He thought the Committee ought to have stated the grounds on which they believed these particular signatures were forgeries. It was impossible for a person always to ascertain whether the signatures to petitions he presented were genuine or not.

Mr. Alderman **SALOMONS** said, as a Member of the Committee he disclaimed any intention on their part to prejudice the Motion in the case of Azeem Jah, they only reported the forgeries in discharge of what they conceived to be their duty to the House. They had reason to believe that a large number of the signatures were fraudulent, and as this was clearly an abuse of the right of petition some public notice ought to be taken of it.

Sir **HENRY WILLOUGHBY** said, that the motives and conduct of the hon. Member for Walsall (Mr. Charles Forster) were so far above suspicion that it was unnecessary to say anything in his defence. It was, however, unlucky that just as his hon. and learned Friend the Member for West Suffolk (Sir FitzRoy Kelly) was rising to bring forward his Resolution the hon. Member should have said something so calculated to prejudice the Motion.

Mr. **WHITE** said, he gave the hon. Member for Walsall the fullest credit for the mode which he had taken to discharge his public duty; but having presented a petition on Tuesday last from Brighton in favour of the claim of Azeem Jah, he wished to state that it was brought to him by one of his constituents, that he had taken the trouble to look over it, and that he could vouch that it was properly signed.

Mr. **HENNESSY** said, he could assure the hon. Member for Walsall that he was the last Member of that House to whom he should attribute any improper motive. He did, however, think that the mentioning of the fact by the hon. Member was calculated to prejudice the debate, and he was borne out in this view by the report of what took place. After the hon. Member for Walsall resumed his seat, another hon. Member (Mr. Vansittart)—

> "Hoped his hon. and learned Friend (Sir F. Kelly) would postpone the Motion of which he had given notice, in consequence of the statement which had just been made."

So that the statement of the hon. Member for Walsall did prejudice the case. Last week the Committee of Petitions stated in a note to their Report—

> "Your Committee have, in the case of the petitions from Romford, North Ockenden, and Ossett, presented by Mr. Bramston; and Enham and Andover, by Mr. Beach, reported to the House the number of names appended thereto, but they are of opinion that many of them are not in the handwriting of the persons whose names are attached, and that the Orders of the House, which require that every petition must be signed by the parties whose names are appended thereto by their names or marks, and by no one else, except in case of incapacity by sickness, have not been complied with."

A week before the Committee made a similar complaint, and the practice was of common occurrence. It did, therefore, seem to him undesirable that special notice should be taken just when the subject-matter of these petitions was coming before the House.

Mr. **BONHAM-CARTER** said, he thought that the remarks of the hon. Member for the King's County ought not to pass without correction. During the whole of his experience of eighteen years as a Member of the Committee on Public Petitions he had never seen so gross a fraud as that now brought under the notice of the House. It was not a case in which one or two names had been attached with or without the knowledge of the parties, but one petition on the face of it appeared to be fraudulent from first to last. The very first name was proved to be a forgery, and the Committee thought it their duty to bring the matter before the House, but without the slightest intention to prejudice the debate.

Sir **JOHN SHELLEY** said, he had presented the petition now under discussion. He regretted that the Committee had not first communicated with him, so that he might have made some further inquiry. Were Members who represented large constituencies expected to ascertain the genuineness of every signature to the petitions they presented? It was a mere question of degree. He looked over the petition, and saw that the usual forms of the House were observed, and he had no reason to believe that any of the signatures were forgeries. If it were held to be a fault on the part of a Member presenting a petition that some signatures were fraudulently attached, then the House ought to take some course to protect the Members for large constituencies.

Report to lie upon the table.

DEVONPORT DOCKYARD—PAYMENT FOR EXTRA TIME.—QUESTION.

Mr. **FERRAND** said, he rose to ask the Secretary to the Admiralty, Why the Men in Devonport Dockyard are not paid in money for the extra hours they work instead of getting holiday time in lieu thereof; what number of hours' extra time the men worked last year, and what holidays they were compelled to take in lieu thereof?

Lord CLARENCE PAGET said, in reply, that the artificers and labourers in the dockyards, when employed on extra time, were as a rule paid for such employment. There were, however, certain exceptions. Occasionally the workmen asked for a holiday—the great majority being desirous of it—and applied to be allowed to work it out in extra time before taking the holiday. There were no doubt cases in which a minority would rather not have the holiday; but it was quite clear that the yards could not be kept open, and all the fires burning on account of them. They had, therefore, to give way to the wishes of the great majority. There were occasional cases also in which the men were obliged to work extra time—tidal time; for instance, when a ship was being put into dock, or taken out, it was absolutely necessary that the men should be employed extra time, but then they were allowed time by way of holiday the following day. He was not aware that any complaints upon the subject had been received from the dockyards. He could not state exactly what number of hours the men had been so employed, but he would make inquiries.

ARMY—ARMSTRONG AND WHITWORTH GUNS.—QUESTION.

Mr. H. BAILLIE said, he wished to ask the Under Secretary of State for War, Whether in the competition which has been carried on between Armstrong and Whitworth Guns they have been tested by oblique firing?

The Marquess of HARTINGTON in reply, said, the competition between the Armstrong and Whitworth guns was allowed to be carried on entirely according to arrangements made between the parties concerned. Since the Question had been put on the paper, he understood that the experiment to which the hon. Gentleman referred was about to take place, and that a day had been fixed for the purpose.

ARMY—IRISH OR ROMAN CATHOLIC RECRUITS.—QUESTION.

Mr. O'REILLY said, he would beg to ask the Under Secretary of State for War, Whether since the year 1829 any orders or instructions have been given by the Military Authorities to Officers charged with the duty of recruiting not to take Irish or Roman Catholic recruits for either the Guards, Artillery, Cavalry, or any other branch of Her Majesty's Military Service?

The Marquess of HARTINGTON said, in reply, that he had made inquiries both at the War Office and the Horse Guards, and he was unable to find that any such order had been issued since the year referred to.

ADMINISTRATION OF THE LAW (IRELAND).—QUESTION.

Mr. DARBY GRIFFITH said, in the Question he was about to put he did not mean to pronounce any opinion as to the facts. He wished to ask the Chief Secretary for Ireland, Whether the attention of the Government has been drawn to a statement made by Mr. Justice Monahan at the County Down Assizes on Friday, 10th March, that, of certain persons engaged in a party riot on the 10th February, only the Catholics had been prosecuted, and the Protestants allowed to go free; and whether the Government will take measures to insure in future that all persons transgressing the Law in Ireland, of whatever religious denomination or party, shall be rendered equally amenable to the impartial administration of justice?

Sir ROBERT PEEL, in reply, said, he had seen the remarks which had appeared in the newspapers referring to this case, but Chief Justice Monahan had not yet submitted any Report to the Government on the subject. The hon. Gentleman had anticipated the Question which was to be put to-morrow by the hon. and gallant Member for Longford, and he hoped on that occasion to be able to give information which he was unable to do at present. But from inquiries which had been made of the High Sheriff he had been informed that there was no partial administration of justice at all. At the petty sessions the magistrates who attended were two Roman Catholics, two Protestants, and two Presbyterians, and they unanimously decided that the Roman Catholics should be sent to trial, and that there was no case against the Protestants. He did not think, therefore, that Chief Justice Monahan was justified in saying that there had been in that case a partial administration of justice.

Mr. HENNESSY said, he had the other evening called the right hon. Baronet's attention to the case of a man who for begging had been sentenced to seven years' penal servitude. He should like to know whether the Government had made any inquiries upon the subject?

Sir ROBERT PEEL said, he had made inquiries, and if the hon. Member would ask the Question to-morrow night he would be able to give full information.

RAILWAY COMMUNICATION BETWEEN PASSENGERS AND GUARDS.

QUESTION.

Sir WILLIAM GALLWEY said, he wished to ask whether the attention of the President of the Board of Trade has been called to letters in *The Times* of yesterday and to-day respecting an accident on the Great Western Railway, which might have been frightful in its results, and which arose solely from the want of any communication between the guard and the driver. He would, with the permission of the House, read the letter of yesterday, and the position of the writer would, he thought, be a guarantee of the correctness of his statement—

> "Sir—Allow me, by one more example, to call the attention of the public to the urgent need which exists for some means of communication between railway passengers and the guard of the train. I left Oxford last night by the 8.53 train, which runs in at express pace to Paddington, stopping once only, at Reading, on the way. Shortly after leaving Reading we were startled by a sudden bumping of our carriage, as though a spring had broken, or one of the wheels got loose. On looking out of the window we saw that sparks were being thrown off from beneath us, with a strong smell of fire. As the bumping grew more violent, the sparks more numerous, and the smell of fire stronger, we did all in our power by shouting and signalling to attract the attention of the guard. The same alarm was felt and the same signs made all down the train for more than half an hour; but on we were dragged at full speed, in fear every moment of a catastrophe, till we arrived at the terminus. Two gentlemen were injured—one, I fear, broke his arm—in reaching out to make these signals seen. That the danger was not fanciful, but real, will be seen when I add that at the very moment the train reached the station the wheel flew right off, shaking violently the carriage, and knocking to pieces the stonework at the corner of the platform. Of course, such accidents as the giving way of a spring or wheel will sometimes occur. All that I wish to insist upon is this—how easily would all danger have been avoided could we have brought to our assistance the guard of the train, and how serious might have been the consequences had the wheel come right off a few miles sooner.
>
> I am, Sir, yours obediently,
>
> W. Berkley,
>
> Fellow of Trinity College, Oxford."

The Question he wished to ask was, How much longer would it be before it would be rendered penal for any railway train to travel without some proper means of communication between the guard and the driver?

Mr. MILNER GIBSON said, in reply, that he quite sympathized with the feelings of the passenger who was shut up in a railway carriage, without any means of communicating with the guard or other persons while the circumstances described were occurring; but when the hon. Baronet asked how long it would be before the means of communication would be established between railway passengers and the guards he could not answer the Question. The subject was one which would come before the Commission appointed to inquire into the railway system of travelling, and they would consider what was practicable for securing the *bonâ fide* safety of the travelling public. He thought the public must be content to wait patiently until that inquiry should be completed.

Sir WILLIAM GALLWEY said, he wished to know whether the subject of communication between the railway guard and the passengers would come before the Commission?

Mr. MILNER GIBSON said, that the general question of safety would be among the matters for their deliberation.

Colonel DICKSON said, he would beg to ask whether there was any hope that the Commission would come to a decision before the next two years, and whether the public were to wait all that time for a decision.

Mr. MILNER GIBSON said, he must decline to speculate on matters of that sort. The Commission would make a full inquiry, and take whatever time was necessary for the purpose.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

NEW ZEALAND—THE MAURITIUS.

QUESTION.

Sir JOHN TRELAWNY asked the Secretary for the Colonies, Whether the proclamation made by the Governor of New Zealand in December, 1864, was to be carried out to the letter, and according to the words of the document, or whether it was to be interpreted by the arbitrary principle which had been established and acted upon by the Governor himself, as was the case in the Treaty of Waitangi, which was violated by Governor Browne, which act was described as the unfortunate cause of the war? We had about 10,000 men in New Zealand, and were about to vote £14,000,000 or £15,000,000 for the army; and as some very curious observations had been made in that House with regard to the obligations of treaties with the Natives of New Zealand, it was desirable that the Secretary for the Colonies should authentically state what was to be the sense in which the proclamation was to be understood, and whether the Government would act in this as in any other case where the Queen's sacred name was pledged to obligations. On a former occasion when an attempt was made to influence the Government not to regard the Treaty of Waitangi as a treaty, the intention to act in such a manner was indignantly repudiated, and he hoped to have an equally indignant statement on the present occasion from the Secretary for the Colonies, totally repudiating any intention not to carry out to the letter an understanding such as that he had alluded to.

MR. LYALL said, that before going into the Army Estimates he wished to ask the Secretary of State for the Colonies whether the amount contributed by the colony of Mauritius for its military defence was in his opinion sufficient. It appeared that that island, according to the Estimates laid before the House this year, would cost £160,000 for its military expenditure, of which £45,000 would be paid by the colony and £115,000 by the Imperial Government. That was a small increase to what the island contributed in former years. Was it fair that this country should pay nearly three-fourths, and the colony scarcely more than one-fourth for its own defence, more especially seeing that we defrayed the entire naval expenditnre? The island of Mauritius had, as was well known, nearly all the advantages that this world could offer—a glorious climate, a prosperous people, and a fertile soil. Its area consists of about 708 square miles, or nearly the size of the county of Surrey. It has a population of 323,000, though it had scarcely more than 100,000 inhabitants thirty years ago. Its revenue for the year 1863 was £518,278, and its expenditure £482.524, leaving a surplus of £35,755. In fact, for many years past there had been a surplus, so that the accumulated balances had amounted to many hundred thousand pounds, which had recently been applied to the great railway works now in progress in the colony. This revenue seemed to have been raised without much pressure upon the people, the duties on imports, exports, and spirits alone producing nearly half of it. The exports for the year 1862 were £2,661,098, and the imports £2,238,846, in both cases a considerable increase on former years. He had mentioned these few statistics, as he wished to draw a slight comparison between the condition of the people in the colony and in this country with reference to them. The exports for the colony were £8 per head, while in the United Kingdom they are only £5 per head. Their revenue, raised without scarcely any direct taxation, was at the rate of 32*s.* per head only, while in this country, including local taxation, it was £2 16*s.* per head. As an indication of the ability of the colony to indulge in luxuries he would take wine, which was imported at the rate of 8*s.* per head, while in England it was only 3*s.* per head. Now, with reference to the payment on the part of the colony per head for its defence. How did it stand? Why, only at the rate of 2*s.* 10*d.* for each individual, while in the United Kingdom, including military and naval expenditure, it was at the rate of 16*s.* Should the colony pay an additional £50,000 to the British Exchequer they would only then pay 6*s.* per head. In bringing this question forward, he had done it purely on financial grounds, and did not enter into the military consideration of the amount of forces requisite for the colony. He was impressed with the importance of the colony to this country as long as England maintained her maritime supremacy in the Eastern Ocean. He did not in any way grudge any fair expenditure for the maintenance of our Colonial Empire, being as proud of it and as anxious to maintain it as any one in this House; but still justice was due to the British taxpayer, whom Members of Parliament more especially represented, and when they saw any charge obviously unfair, it was their duty to bring it under the notice of the Government. He saw that the right hon. Gentleman had made arrangements to get rid of the unjust charges for the military expenditure of Ceylon, and he congratulated him on the result, and trusted that the right hon. Gentleman would place that of the Mauritius also on a more satisfactory footing, No doubt the position of the two colonies. with reference to this subject, was not precisely similar, as in the latter case it must be considered that some portion of the military force was retained for Imperial objects.

SIR HENRY WILLOUGHBY wished to ask the Secretary of State what powers the Governors of colonies, whether of New Zealand, the Gold Coast, or anywhere else, had of drawing money from the Treasury chest of this country, without the sanction of the executive Government or the House of Commons? He wished especially to ask this question, as it had been under the consideration of the Committee upon the Auditing of the Public Accounts, whether some of those Governors had not drawn upon the Treasury chest to a considerable extent, without the knowledge of the Home Government? and whether that practice was not going on in New Zealand now? It was through the medium of the Treasury chest that we might get into troublesome wars, and have heavy burdens improperly thrown on the British taxpayers. He wished also to ask the Under Secretary for War, whether it was his intention to lay upon the table any paper relating to the re-organization of the War Department? He wished to know whether there was any intention of establishing an audit in that Department? which he considered to be of great importance.

SIR MINTO FARQUHAR asked, if the Government had received any information as to the present position of affairs in New Zealand, where he understood there was great excitement, apprehensions being entertained that war might again break out?

MR. CARDWELL said, that the hon. Member for Tavistock (Sir John Trelawny) had asked him whether a proclamation, dated the 17th of December, had been received from New Zealand, and whether those parts of that proclamation which were favourable to the Natives were intended to be carried into effect in good faith? That hon. Gentleman, referring also to the unfortunate dispute about the Waitara plot, spoke of it, though not with perfect accuracy, as though it had been admitted to have originated in a breach of the Treaty of Waitangi. The hon. Gentleman was aware that the controversy about the Waitara plot originated many years ago, and that the course taken by Governor Browne was, upon further knowledge, reversed by Governor Grey. But it would not be true to say that Governor Browne and the Government of the colony were guilty of any deliberate infraction of the Treaty of Waitangi. On the contrary Governor Browne, than whom no more honourable man existed, fully believed that he was entitled under that treaty to do what he did; otherwise he (Mr. Cardwell) was convinced he would never have been a party to anything of the kind. For himself, he had been from first to last a firm supporter of the Treaty of Waitangi in its true meaning and real conception. He had not the smallest suspicion or belief that the Governor of New Zealand and his Ministers intended any breach of faith on this occasion, and he could assure the hon. Member that no instructions should proceed from him having any such tendency. As to the question put to him respecting the general state of the colony, the papers arrived yesterday, he was about to consider and answer them, and he thought it would be more expedient that he should now pursue the course he had uniformly adopted on former occasions—namely, to lay the whole of the papers on the table at the earliest moment, when hon. Gentlemen would be able to form their own opinions upon them. With respect to the question about the military contribution from the colony of Mauritius, the hon. Gentleman (Mr. Lyall) would be glad to know that there was in the present year a considerable increase to that contribution. In 1862 the late Duke of Newcastle wrote to the then Governor of Mauritius, stating that he thought, in justice, an increased contribution towards the military expenditure should be made by the colony, and proposing that it should thenceforward pay £45,000 a year for a period of five years. The then Governor remonstrated with the noble Duke on account of the temporary financial position of the colony, and his noble friend consented to postpone the new arrangement for two years. That arrangement stood to commence this year, when in the course of last autumn Sir Henry Barkly, the new Governor, renewed the remonstrance, and asked for further time; but not deeming the request reasonable he had expressed his inability to comply with it. Therefore the arrangement made by the Duke of Newcastle had begun to be acted upon this year, and it would terminate at the end of three years. After the lapse of that period it could again be considered whether the colony contributed the proportion of its military charges which could fairly be expected from it, and whether it fulfilled the requirements of the Committee on Colonial Military Expenditure of 1861. With respect to the question asked by the hon. Baronet (Sir Henry Willoughby) as to drawing on the military chest, that was not so much a matter of principle as of fact. The hon. Baronet spoke with special reference to New Zealand. No principle was clearer than that there was to be no expenditure or drawing of money from the Imperial resources, except with the sanction of the Home Government and of that House. But towards the close of 1863, large advances were drawn by the Government of New Zealand from the military chest in that colony. The hon. Baronet asked whether those advances still continued? In the course of last Session he had stated what he believed to be the fact, that those advances ceased in 1863; that there were no advances made from the military chest in 1864; and that the system had now been put an end to in that colony.

Mr. ARTHUR MILLS asked if the advances which he believed amounted to £150,000 had been repaid?

Mr. CARDWELL explained that the matter referred to by the hon. Gentleman was part of the arrangement made last year in respect to the Guarantee Loan; but he (Mr. Cardwell) had received a letter stating that the colony did not accept the Guarantee, and therefore the arrangement referred to was not to be considered binding.

Sir JAMES ELPHINSTONE said, he saw no good reason why the colony of Mauritius should be called on to make the additional contribution which the Government was requiring from it. If the inhabitants were left to manage their own police and preserve order in the island they could do so. But the purposes for which the money was applied were Imperial, not colonial; and, moreover, the produce of the island was loaded with heavy duties on entering this country. In the last war, the Mauritius was the theatre of the greatest naval exploits in the eastern seas, of which it was the key; and since it came into our possession it had been of the greatest possible importance to us for retaining the command of a great stream of commerce, and as being in the immediate vicinity of the Isle of Bourbon—a strongly fortified French post. Her Majesty's Government being near the end of this Parliament, and anxious to go to the country on the principle of economy, were throwing as much of their military expenditure as they could on that colony. At the present time the revenue of the island was loaded with heavy debts. Moreover, they were burdening the people of the Mauritius unduly for a second reason—namely, because the Home Government had laid out a large sum of money on imprudent works. There were various points in the colony where troops might land, and those posts might be protected with a small number of guns. But he understood that large fortifications had been undertaken which would require a large number of troops, and the colony would have to pay for those troops. It was absurd to attempt to defend a place like the Mauritius with an enormous garrison. The preservation of the sovereignty of the seas was the only means by which the Mauritius or any other of our colonies could be protected. He had moved for some papers regarding Ceylon, and when they were produced, he should have some further observations and a Motion to make on the subject.

Mr. CHICHESTER FORTESCUE said, it was always painful to destroy a beautiful theory, but he begged to observe that the arrangement for the moderate increase of the military contribution of £32,000 to £45,000 was conceived and announced to the colony two years ago by his noble Friend the late Duke of Newcastle, and was not originated by the present Secretary to the Colonies at the close of an expiring Parliament. The execution of it, however, was delayed till lately on account of the great expenditure then going on in the colony upon railway works.

COMMERCIAL TREATY WITH FRANCE.

QUESTION.

Mr. TREHERNE asked the President of the Board of Trade, Whether any communication has taken place between Her Majesty's Government and that of France with a view to the modification of the Commercial Treaty of 1860; and whether they are in possession of any Report respecting the present condition of the Riband Weavers, and whether it is not the fact that their condition is even more distressing than it was last year; and, if so, whether the Government were prepared to devise some effectual measures by which the annihilation of the English Riband Trade may be averted. The Government were aware of the painful state of distress which existed last year in the city he had the honour to represent, and he was assured it had increased since then. Nothing but misery appeared possible for those who continued to inhabit it. Emigration had taken place since that period; but the state of the riband trade more particularly was most deplorable. It was not surprising that it should be so, looking to the statement he held in his hand of the average prices of the years 1860 and 1865. A piece of riband was about thirty-six yards and there were five principal widths. The average prices paid in the two years were —sixteen-penny widths, in 1860, 2*s.* 8*d.* per piece; in 1865, 1*s.* 6*d.* twenty-penny widths; in 1860, 3*s.* 6*d.*; in 1865, 1*s.* 1*d.* twenty-four-penny widths; in 1860, 4*s.* 3*d.*; in 1865, 2*s.* thirty-penny widths; in 1860, 5*s.*; in 1865, 2*s.* 6*d.* forty-penny widths; in 1860, 6*s.* 6*d.*; in 1865, 3*s.* 6*d.* From these figures it would appear that the right hon. Gentleman the Chancellor of the Exchequer was hardly warranted in the calculations he had made, and the golden dreams he seemed to entertain with respect to the prosperity of the riband trade. The French Treaty of 1860 left the English riband trade with a duty of 7 per cent; but now it appeared that under a treaty entered into between France and Switzerland, owing to the Favoured Nations' clause, our weavers might import ribands into France at a duty reduced from 7 to 3½ per cent. Certainly that was a great diminution to jump at once from 7 to 3½ per cent; but that apparent boon would effect no relief to the riband trade; it would still leave it in the hands of the French. Although the duty was only 3½ per cent, yet, when compared with the value of the manufacture, it amounted to a protection of 25 per cent. If the French weaver had wages at 12*s.* a week the English weaver to compete with him on equal terms, could only have 9*s.* a week. The French had a virtual monopoly in their own market. He understood that the Government, either in consequence of what he had stated, or acting upon their own observations and convictions, had had a communication with the Government of France respecting some modification of the Treaty of 1860. It must be borne in mind that Her Majesty's Government had nothing to do with the relief, be what it may, that might proceed from the Franco-Swiss Treaty. The treaty would come into operation on the last day of January, 1866, till which time no relief could accrue to the weavers of Coventry. He was quite sure the boon, even were it immediate, would be comparatively trivial in its extent. But whether or not the Government viewed this treaty with more favourable eyes than he did, they could not tell that when the last day of January, 1866, arrived there might not be some difficulty interposed as to the reduction of the duty. The consequence would be the riband trade of England would be ruined, and the once flourishing city of Coventry destroyed. It was a very unpleasant thing to represent a starving population, when there seemed no possibility of relief. He quite felt the difficulty on the part of the Government, but he wanted to see in them a feeling corresponding to his own in the sense of humanity; so that really they might put their shoulder to the wheel and see whether they could not administer some relief to those who, they could not deny, were in the very deepest distress. He did not think it good policy to drive any trade out of the country. This had been a lucrative trade, one more agreeable in its manipulation than many other trades in England. It had also given employment to many thousands of industrious and rather superior artisans. There were many persons who had emigrated to America from Coventry, and had written letters to their friends encouraging them to go to New York, where an excellent trade was being driven under a 60 per cent duty. The people of Coventry did not ask for protection by putting heavier duties on French goods, but they asked to be placed in a position in which they would be enabled to earn enough to live upon. They, in fact, complained of the superior advantages given to the French manufacturers unter the Commercial Treaty, and said that they wanted free trade principles in respect to their manufactures, adopted fairly and equally in respect to all. Now, as regarded the other people in Coventry, not engaged in the riband trade, their property was grievously affected by the general dulness which prevailed, and the whole place wore a general aspect of misery. A friend, writing to him lately, stated that he had laid out a considerable sum of money in the erection of silk mills, but that his property had been deteriorated at least 50 per cent in consequence of the general depression of trade in that district. There were still about 1,500 houses unoccupied, and rents were badly paid, and with difficulty collected from bad tenants. According to the Board of Trade Returns, it appeared that the value of silk manufactured ribands imported in December, 1859, was £25,397; but in December, 1864, the value had increased to £122,996. Whilst, with regard to the exports, the trade had fallen off even in much greater proportion. In December last there were no British manufactured ribands exported into France at all. The Board of Trade Returns showed a considerable increase in the value of manufactured silk imported into this country, and a corresponding decrease in the value of the exports. Whilst the value of the manufactured silk exported from France to England in the year 1863 amounted to 660 millions of francs, in the year 1864 it reached 741 millions of francs. He (Mr. Treherne) maintained that the existence of this state of things justified the inquiries which he had ventured to put to the right hon. Gentleman (Mr. Milner Gibson). The question of exports was one which demanded very serious consideration. When he last visited Coventry he found upon his table a paper purporting to be a report dated the 29th of July, 1864, addressed by Robert Weale, Esq., Poor Law Inspector, to the right hon. C. P. Villiers, of the condition of the silk operatives employed in the riband manufacture in Coventry, Nuneaton, and Coleshill districts. It appeared to him that that report was unfeeling and by no means creditable to any one. The author took upon himself to inform the Government of the state of the silk riband operatives, and said that during the last week he had visited several of the unions of Coventry and its neighbourhood, where the strike (as Mr. Weale called it) had taken place; that the weekly relief was generally in excess of what it was previous to the strike which took place in July, 1860. Now it should be observed that the distress in the silk districts arose from our Commercial Treaty with France in March, 1860. But Mr. Weale, in his report, was pleased to attribute it solely to the strike amongst those engaged in the trade in July of that year. The Poor Law Inspector went on to say that, from inquiries he had made, he believed there was still full employment for all classes of operatives in that part of the country; that it was quite true that the earnings of the weavers were much lower than they had been before the strike, but if the amount of pleasure enjoyed were to be taken as any indication of the comforts of the people, he found that pic-nic parties and excursion trips were never more frequent. He protested against such one-sided reports. These men had 1*s.* 6*d.* a day to keep them from starvation, their relaxation was obtained by the assistance of other people, and he (Mr. Treherne) thought that that part of the report was a very unfair and ungenerous comment upon the innocent pleasures of the people. When he was down in Coventry, in September last, there took place a sale of looms which realized only £230 although they originally cost £4,000. But he thought it right to bring this subject forward because he knew that the people were in a frightful state of distress, and it was his opinion that the proposed reduction of duty to 3½ per cent by France would fail to obtain for them that assistance which he was so anxious to obtain for them, having regard to the difference of 25 per cent in the wages of weavers in France and England. The persons who furnished him with the information he had communicated to the House were men of substance, who were themselves employed in the trade, and therefore knew well what they were talking about. If the Government were to reply to him that they considered there had been a great loss of time—that the House had been listening to nothing but an idle story, he (Mr. Treherne) must nevertheless feel that he had attained his object. It was not his wish to obtain applause, but to enjoy that satisfaction which every one felt who had performed his duty.

Mr. WHITE: It might be inferred from the representation of the deplorable distress prevailing in Coventry, coupled with the large quantity of French ribands imported into this country, that the French riband manufacturers were in a prosperous state. On the contrary, he (Mr. White) held in his hand a circular from a manufacturing house in France, dated the 4th of this month, bewailing the condition of the riband weavers in St. Etienne as truly deplorable. A French paper, dated the 14th of this month, also mentioned the distress under which the riband weavers were now suffering. While all regretted that the people of Coventry, or any other place of manufacture, should experience privation from the absence of trade, it must be recollected that it was a matter of periodical recurrence in that city during the last forty years. This branch of industry was peculiarly liable to the caprice of fashion, and neither the House of Commons nor any other power could control the taste and choice of the fashionable world. If the hon. Member for Coventry could bring some occult influence to bear upon that illustrious lady, who ruled despotically over the fashions of Europe, and who resided in a neighbouring State—if he could induce her to take into consideration the deplorable condition of the riband weavers at St. Etienne and at Coventry, and set the fashion, so that instead of gimp and *passementerie*, the ladies should adorn their dresses with ribands, then it would be found that the riband trade of Coventry and of St. Etienne would be in as prosperous a condition as ever it had been. It was singular that, according to the Board of Trade Returns, the total importation of ribands last year was nearly £200,000 less than it was two years ago. The imports stood thus:—In 1862, £1,470,000; in 1863, £1,359,000; and in 1864, £1,305,000. Allusion had been made to the large importation of manufactured silks to this country, mainly from France. The fact was indisputable that in 1862 we imported £5,967,000 of manufactured silks from different countries; in 1865, £5,775,000; and last year the total was £6,465,000. That was the largest amount we had ever imported. At the same time, it must be borne in mind that we had a large export of raw silk. It would be seen by the total amount of raw and "thrown" silk which we sent to France that the French took nearly as much from us in value as we received from them. The hon. Member instanced this fact, to show the mutual advantage that accrued from the operation of the treaty with France. If the hon. Member for Coventry thought that Her Majesty's Ministers were responsible for the distress in Coventry, he might have used an argument of much greater force than any he had adduced, by pointing to their unwise intervention in China, which had led to a falling off of the supply of silk. We did not now import one-third the quantity we formerly did, owing entirely to our proceedings against the Taepings.

MR. MILNER GIBSON, in reply to the hon. Gentleman's Question, said, that a communication had taken place between Her Majesty's Government and that of France with a view to the modification of the commercial treaty of 1860. In the autumn of last year inquiry was made of the French government whether they were disposed to reduce the duties upon English ribands imported into France. The reply was that the French government did in a short time intend to reduce the duties upon ribands of British manufacture from 8f. the kilogramme, to 4f. the kilogramme, being a reduction of fifty per cent. And the whole duty would form a reduction to 3½ per cent *ad valorem.* This must be acknowledged to be a very small import duty, if it could be called an import duty at all. He entirely concurred that it would be very desirable if the importation of silk ribands manufactured and sent into France should be as fairly and impartially admitted there as the manufactures of France were into this country. But the hon. Gentleman must admit that after the change in the French duties which took place in 1860 it was satisfactory to find within so short a time that the French Government should have conceded so large a reduction in their duty as 50 per cent on the article of ribands. Those import duties arose in consequence of our having the benefit of the most favoured-nation clause. The French nation having made a treaty with Switzerland, by which they extended the reduction to that amount, the same favour was granted to us according to the terms of the most favoured-nation clause. The Government, however, were not unmindful of the representations made to them in respect to the distressed condition of the silk trade of Coventry. The hon. Colleague of the hon. Gentleman (Sir Joseph Paxton) had repeatedly pressed those representations upon the Government, and they felt it their duty to state that the importation of cheap ribands into France would improve the trade considerably, and they accordingly made those inquiries of the French Government to which he had adverted, and which proved in their result so satisfactory. He concurred with the hon. Gentleman who had just sat down in thinking that the distress in the silk riband trade of Coventry, however deplorable, was beyond the reach of legislative remedies: and he was afraid it was almost beyond the reach of the executive Government by representations to foreign countries, seeing already how low the duties were on the import of ribands into France. The Coventry riband trade had frequently been subject to periods of depression in consequence of the great fluctuations caused by the variations in fashion. And even supposing fashions changed and ribands were more extensively used, it would probably be to the injury of some other branch of trade; for, in all probability, the money that used to be expended in ribands was now spent in some other article of ornament worn by ladies. He sincerely sympathized with the hon. Member for Coventry in the distressed condition of the people of that town; but he doubted if the hon. Gentleman was correct in inferring that things were worse this year than last year. He did not know what evidence the hon. Gentleman had of that fact, but the poor-law Returns gave a gradual diminution of persons receiving parochial relief. In fact, there was a material difference between the number relieved in 1862 and now. The number of persons in Coventry receiving in-door and out-door relief in the first week in January, 1865, was 1338; in the same week in 1864 the number was 1702; in 1863 there were 3194; and in 1862 there were 4103 persons receiving in-door and out-door relief. He found that during the last three years the imports and exports of ribands had been on the whole nearly stationary, and if that were so the consumption of ribands in this country could not have materially fallen off, or if it had it must have arisen from causes over which the Legislature had no control. He had made inquiries in the Metropolis and he was informed that the sale of ribands had not much declined since the French treaty, and that the trade now showed symptoms of revival. He had been informed by those in the trade that the sale of ribands had of late years been nearly stationary, but at the same time showing symptoms of revival in our trade, no preference being giving by the generality of customers to French over English goods—the Coventry ribands having very much improved—but rather the contrary. From all the information he had obtained he had good reason to hope that the trade of Coventry was not in the hopeless state it had been described by the hon. Gentleman. He did not, however, for one moment dispute that great distress prevailed at Coventry, and he considered the hon. Gentleman was only discharging his duty in bringing it under the consideration of the House. If he could point out how the Government could alleviate it he (Mr. Gibson) should be glad to assist in so doing, but he must frankly say that he did not see his way to any legislative remedy for the distress that at present existed.

Mr. NEWDEGATE expressed his thanks to the Government for having obtained from the French Government a reduction of duty on English ribands imported into France from 8f. to 4f., and thereby share in all the advantages under the most favoured-nation clause that had been granted to Switzerland; but when the right hon. Gentleman said the duty was now very low, he must remind the right hon. Gentleman of the remark that fell from the hon. Member for Coventry—namely, that the duty must be measured not against the price of the article, because the silk of which it was made formed by far the greater part of its value. The effect of the duty, even as it now stood, was therefore in reality 20 per cent as against the English workman—a serious item, and which, he was sorry to say, fell entirely upon wages. By the Treaty of 1860 the Legislature of England was prevented from levying a single sixpence upon French ribands imported into this country. The Coventry workmen, therefore, naturally felt it to be very hard that a duty amounting to 20 per cent on their wages should be levied on the importation of their ribands into France. Under such circumstances, the House could not expect that the artizans of Coventry should feel the bargain between the two countries to be a fair one. He repeated what he had frequently said, that the French Treaty of 1860 was a very one-sided measure, a very bad bargain for this country; because, whilst we were prevented from imposing any duty upon French ribands imported into this country, the French Government might, if they pleased, raise the duty upon English manufactured ribands into France up to 15 per cent of the value of the article, the enormous percentage of which on the value of English labour he would not then stop to calculate. He hoped, therefore, the House would not be deceived as to the effect of the treaty upon his poor neighbours. With regard to the number of paupers in Coventry being less now than they were in 1862, he must remind the House that something like £20,000, contributed by the charitable feeling of Her Majesty and many of her subjects, had been spent in their relief in that year; and, as chairman of the relief committee, this extraordinary expenditure for relief of course diminished the demands upon the poor rates in 1862, and another element had since come into operation. He regretted to inform them that since the French Treaty had come fully into operation from 11,000 to 12,000 persons had left the town, and those who remained were employed on miserably low wages. He mentioned those facts as a warning to the House and the Government of the disastrous effects of a bad bargain such as the Treaty of 1860. When the hon. Member for Brighton (Mr. White) said the trade was subjected to variations of demand resulting from the changes of fashion, he (Mr. Newdegate) begged to remind him and the House that it had always been so, but it did not follow because of those fluctuations that the trade should be destroyed. It was quite true that both St. Etienne and Coventry might suffer from changes of fashion, but the question at issue was, were not the Coventry riband makers suffering (in addition to the depression of trade by the change of fashion) from the additional burden of the import duty into France on the products of their industry? Every effort had been made to supplant the riband trade by the introduction of other employment, and he was happy to say not without success in his own immediate neighbourhood near and in Nuneaton. In thanking the Government for having interceded with the Government of France, he could not but lament that they should be in such a position as to have their hands tied by the Treaty of 1860, so that whilst the French Government could at their unfettered discretion impose a high duty on our goods, we were prevented from exercising that power, should it seem advisable to do so, for the interest of our own suffering people.

Mr. BENTINCK said, that the hon. Member for Coventry had brought forward a most painful case, and he had clearly shown the great amount of distress which existed amongst the operatives of that town. He must, however, say that he could imagine nothing less likely to raise the spirits of the people of Coventry than the answer which had just been given by the right hon. Gentleman the President of the Board of Trade. The hon. Member for Coventry made use of a peculiar remark, and one which gave him (Mr. Bentinck) the impression that he had not quite studied one feature of the case. The hon. Gentleman said he brought forward the Motion, not on political grounds, but on the grounds of humanity. Now did any one ever hear of the humanity of a free trader? Why, they might as well appeal to the sensability of a boa constrictor or the amiability of an alligator as to the humanity of a free trader. The great principle of free trade was to carry out its views at any cost, at any sacrifice, and at any amount of human suffering; and, in spite of appeals to the contrary, that principle had not only been defended by the advocates of free trade, but it had been invariably carried out to the best of their ability. His hon. Friend said he did not wish to go into the question of free trade, but he put forward an argument which trenched very closely upon it. He said the result of past legislation had been to cheapen labour, and "cheap labour" was the history of free trade in two words. And without going farther into the question, he believed that, looking to the present position of the silk trade, and to his right hon. Friend's particular allies the papermakers, the time was arriving when the masses of the country would at last wake up to the effect of the extraordinary delusion that had been practised upon them by the introduction of what was miscalled free trade into this country. The time was not far distant when the agricultural labourer would at last discover how completely he had been gulled when he was made to believe that the best way to better his position was by decreasing the value of the produce of his labour; and the great majority of the artisans had been for some years past subsisting on the charity of the nation in spite of the promises of roast beef and plum pudding that were made to them as the consequences of free trade. His hon. Friend asked that the principles of free trade should be carried out with respect to Coventry. It was not an unreasonable request, but the right hon. Gentleman the President of the Board of Trade consoled him, by informing him, in the first place, that it was a matter for congratulation that the import duties on English ribands into France had been reduced 50 per cent. Well, that was not free trade, neither did it avert the distress complained of. Then his right hon. Friend went on to concur with the hon. Member for Coventry that the abolition of all duties should take place in every country, and that the admirable system of free trade should be universally applied. That was an amiable and admirable wish of his right hon. Friend's; but he followed it up by saying that he did not see how the distress complained of could be remedied by any legislative enactment. Now he (Mr. Bentinck) thought it could be done, and that by simply putting the workmen of both countries in the same relative position with regard to import duties. At present in France there was an import duty on the productions of England; while in England there was no import duty on the productions of France.

This might be remedied. What was required was that the ribands and other articles of Coventry should be placed on the same footing for import into France as French goods were allowed to come into England—free of all duty. He wished to call the attention of his right hon. Friend to one point which he ventured to think was one of the greatest delusions that had been practised on this country upon the subject of free trade. They had heard the right hon. Gentleman and the Chancellor of the Exchequer, and all the advocates of the so-called great principle of free trade, congratulate the House and the country upon the conversion of the Emperor of the French and his Government to the principles of free trade. Now, there never was a greater delusion attempted to be practised than that. The great object of free traders had always been to confuse the public mind between two things of the most opposite principles—prohibition and protection; and what they had done had been not to induce the Emperor of the French and his Government to adopt the principles of free trade—if he had, the Coventry weavers would have had no cause of complaint—but to adopt what he (Mr. Bentinck), as one of the old Protectionist party, ventured to think was the right and sound policy—namely, to abandon prohibition and to adopt the principles of protection. The French Government were not free traders, but avowed protectionists, which was the principle that was formerly understood and carried out in this country, and it was but a poor consolation to the starving Coventry weavers and others to be told that in spite of the amount of distress that existed amongst them the Government were powerless to relieve them. He denied the assertion, and all he asked the Government to do was to carry out the principles of free trade—for it could not be called free trade when there was a difference of 20 per cent in favour of the French and against the English workman, and so to regulate our commercial treaties as to put the industrious artisans and labourers in this country on a footing of equality with the labour and industry of other countries.

THE SUEZ CANAL.

QUESTION.

MR. DARBY GRIFFITH asked the First Lord of the Treasury, Whether all forced labour on the works of the Suez Canal has been entirely and finally discontinued? He was the more anxious to get an answer to his question as M. Lesseps had invited representatives from all countries to Alexandria for the purpose of inspecting the work on the 6th of April. He saw no reason why this country should not wish this work to be completed if only two conditions were fulfilled—that no flagrant violation of humanity took place by the employment of what he should call slave labour, and that the existence of a company was not made the pretext for the acquisition of territory. It would be a great advantage to passengers by the Peninsular and Oriental Company's steamers if they should be enabled to pass through the Isthmus without changing vessels, and he for one would be glad to see such a communication with the East completed. He believed, however, that M. Lesseps had thrown into the undertaking a considerable dash of national rivalry. He had also exhibited a considerable taste for theatrical display. When M. Lesseps was lately at the opera at Florence, one of the eminent ballet-dancers had represented him as the presiding deity of the Suez Canal, and M. Lesseps leaned forward out of his box—No. 13 on the Grand Tier—to receive an ovation at the hands of those present. His object in putting the question was to ascertain that the principles of humanity had not been violated as they used to be in former times, when no less than 100,000 men were obliged to submit to enforced labour.

VISCOUNT PALMERSTON: At one time the works of the Suez Canal were carried on entirely by fellahs — that is, peasants of Egypt who were compelled to labour. The Sultan, however, some months ago issued a firman forbidding that species of employment for the future, and as far as we are informed that firman is now in force and is executed. We have no information to the contrary. I know that the Canal Company have endeavoured to obtain labour from Morocco, and, I think, from Tunis; and I also know that there were a certain number of English navvies also employed in the construction of the canal. I believe that they were dissatisfied with the conditions imposed upon them, and most of them left; but we have no reason to believe that forced labour is now employed in the construction of the works.

Motion, "That Mr. Speaker do now leave the Chair," *agreed to.*

SUPPLY—ARMY ESTIMATES.

Supply *considered* in Committee.

The Marquess of HARTINGTON: Sir, the House has already discussed very fully so many subjects connected with the Administration of the Army, that I shall now trespass on the attention of the Committee for a shorter time than I should otherwise have felt it necessary to do. We have already had debates on the subjects of recruiting, ordnance, and the fortifications of Canada. These three subjects, perhaps, the most important of those to which it will be my duty to call attention this evening, have already received full and complete consideration from the House. Therefore I will not detain the Committee by making any preliminary observations on those great questions, but will proceed at once to give an explanation of the Estimates that have been laid on the table. I will first remark that hon. Members will observe that some slight changes are made this year in the form of the Estimates. In deference to the wishes expressed last year, and more especially in deference to the suggestions of the right hon. Member for Huntingdon, we have this year reverted to the practice of taking the first Vote for the number of men; but as the numbering of several Votes had been already fixed, and considerable inconvenience would have been experienced by altering the numbering, we have designated the first two Votes relating to the numbers of the men by the letters A and B, retaining the numbering of the remainder of the Votes. Hon. Members will also observe that charges have in some instances been transferred from one Vote to another — for instance, certain charges for pay have been placed in the Commissariat Vote as more properly belonging to it, and I fear that some inconvenience may possibly be felt by those who wish to compare the expenditure of the present year with that of former years; but all the changes have been made from principle. All that we have done is to transfer particular charges from one Vote to another, placing them in that Vote to which they strictly belong; for it is only by comprising in each Vote those charges which are really applicable to it that we can make each Departments responsible to the Secretary of State. The Army Estimates laid on the table this year amount to £14,348,447, being a reduction upon those voted last year of £495,641. But when we come to compare the net estimated charge for the army services against the revenue of this year as compared with last year we find a still greater reduction. Striking from the gross estimate the sum we expect to be paid into the Exchequer for extra receipts, the net estimated charge is £12,645,007, while last year it was £13,519,646, showing a saving in the total Estimate to be voted this year for army purposes of £874,639. I will not trouble the House with any long comparison, but I cannot refrain from pointing out the reduction which we have been able to effect since the year of the highest expenditure on the army services. The year 1861-2 was really the year of the highest military expenditure, but in the year 1862-3 the Estimates for the army reached their highest point. In 1861-2 the expenditure was highest, because in that year the charges for India now voted in the Army Estimates had not become a charge upon them, but were defrayed by the Indian Government by means of a capitation grant paid into the Exchequer. I will compare the Estimates for 1862-3 with the Estimates for subsequent years. In 1862-3 the Vote for the army was £16,060,750. In the next year there was a reduction amounting to £591,113, and in 1864-5 the reduction had been increased to £1,216,262. In the present year the reduction on the Estimates of 1862-3 will be £1,711,903. These reductions of nearly £2,000,000 from the year of the highest expenditure is not all I have to mention. I should like to call attention to the fact that we have now reduced the Army Estimates from the year of the highest expenditure to a point below that of 1859-60, being the year before the Governments of Europe were alarmed by the Italian War—before the feeling became so prevalent in England that our defences were not in the state they ought to be in, and before our armaments assumed the dimensions they subsequently did, and which led to their being called "bloated armaments." In the year 1859-60 the Army Estimates were prepared by the right hon. Gentleman opposite, and I will compare with them the Estimates for the present year. In the former year the Vote for the disembodied militia was not included in the Army Estimates, and, therefore, I have to deduct from the Estimates of the present year the charge for that force. The amount voted in 1859-60 was £12,859,297, not including the disembodied militia. To that sum £700,000 should be added, being the sum due by the Indian Government, on account of the service in the prior year, making the total amount of the real Estimate £13,559,297. The total amount estimated to be the expenditure for the army for the present year is £13,533,047, so that the amount in 1859-60 was greater by £26,250, after deducting the militia Vote. Nor is this all. The charges now included in the Army Estimates for depôts and other services for the Indian Government, in addition to those voted in 1859, the cost of which is met by contributions from the Indian and Colonial funds, amount to £648,000; and, therefore, in addition to the saving of £26,250, there is a real, though not apparent saving of £648,000. Since 1859 the Volunteer force has almost entirely sprung up, involving a charge of £354,000. There are several other new charges, some of them in consequence of the recommendations of the Commission on Recruiting, and £94,500 are expended upon additional clothing issued on their recommendation. I mention these things to show that though fully alive to the importance of bringing forward ample Estimates, during the last few years the Government have been working steadily and earnestly in the direction of a reduction of military expenditure. Now I come to the first Vote for the number of the men. The total reduction of the force of the army this year will be about 4,000 men. I will explain in what manner that is effected. The reduction in the artillery is entirely due to the organization of the regiments of artillery. When the amalgamation of the Indian and Imperial services took place, the effect was of course very largely to increase the depôts for the purpose of meeting the Indian reliefs. Of course, it was also impossible to calculate accurately the requirements of that service, and it has turned out that they were over-estimated. It is found that the wants of the artillery service can be supplied by depôts of smaller dimensions than those originally formed, and it is proposed and has been agreed to by the Commander-in-Chief to reduce the depôt brigade from 20 to 16 batteries, which will be divided into 3 instead of 4 divisions. This will be a positive improvement and tend to efficiency, because, the number of men being diminished, the proportional number of officers will be greater. Great complaints have been made of the want of officers, in consequence of many being detained at depôts. The reduction is commendable on the score of economy. There will be a reduction in the infantry of a little over 2,000 men consequent in the first place upon the reduction of one of the West India regiments. That regiment, the 5th West India regiment, was raised, the House will recollect, partly for the purpose of replacing a St. Helena regiment, and partly for the purpose of replacing the Gold Coast Artillery Corps. The intention, however, of garrisoning St. Helena by a West India regiment has been abandoned. The West Indian troops were very recently formed, they have never been recruited to their full numbers, their services were not required, and therefore no inconvenience will attend their reduction. The reduction of the infantry at home, like that of the artillery, has been effected by a change in the organization of that branch of the service. The subject of depôts and of depôt battalions is one which has been very often brought forward for discussion in this House. A great diversity of opinion has been expressed as to the utility of our system of depôt battalions. I am not, however, going to enter upon a full discussion of that question now. It is obvious that regiments serving abroad or in the colonies ought, in some shape or another, to have depôts at home where recruits can be received, and whence the regiments to which they belong can be strengthened. That necessity does not, however, exist in the case of regiments serving at home. There is no reason whatever why young officers and recruits should not, when their regiment is at home, at once join their head-quarters. I see no good reason for keeping up two separate battalions for one regiment at home. I believe that hon. Members connected with the army will bear me out when I say that commanding officers generally would prefer this latter course, because at the depôts the young officers and recruits learn a different system to that which is in practice at their own regiments, so that they have on joining their head-quarters to unlearn a good deal of what they have been taught. It has been therefore decided that the depôt companies of the regiments at home shall join their service companies, so that the battalions will consist of 12 companies in one body, instead of 10 service and 2 depôt companies in different parts of the country. The strength at which the battalions of infantry have been placed during the past year both at home or in the colonies was 800 men. Of these, 680 were in the service, and 120 in the depôt companies. While there were only 10 service companies, any reduction below 680 in the number of men would have been, I think, unwise, because those who remained would hardly have sufficed for the efficient performance of garrison duty. When increased by two companies, however, the case is different. The battalions at home will each consist of 600 men, and as the depôt companies will join the service companies, the effect of that will be to add 150 to 600, and as it has been decided to reduce each battalion by fifty men, there will now be 750 men in one body instead of 800 men, divided into two bodies of 680 and 120 each. In seven battalions there will be a reduction of 100 men. These battalions are those on their way home from India, and will, of course, stand the last for foreign service. They always return from India extremely weak, and there is no reason for raising them at once to their full strength. This reduction will be balanced by the joining of the men from the depôts. On the other hand, the battalions intended for service in India and in the colonies will, as heretofore, be maintained at their full strength. Three battalions about to go to India will be kept up to the establishment of 900 men, so as to be ready to start at any time, as well as to leave a depôt at home. Independently of the reduction of men which we have been safely able to effect by means of the change in the organization, I may mention the fact that there will be a saving of expense arising from the reduction of the depôt battalions of regiments at home, amounting to £28,780. By the change which is proposed it will be possible to reduce seven battalions, the saving on which will amount to the sum I have just given. Owing to the arrangements of the Foreign Office and the Indian Government our force at home will not be reduced to a similar extent. It was stated in the House the other night, and I believe the House will entirely concur in the policy announced by my right hon. Friend the Secretary of State for the Colonies, that orders have already been sent out to New Zealand for the reduction of our troops in that quarter of the world by five battalions which will return home in the course of this year, in addition to which two battalions will also be recalled from India, without relief. The result will be that, whereas in the present year 1864-5, the estimated establishments of infantry at home were 32,500 men, and, including Indian and colonial depôts, 43,520, our establishment in the ensuing year will be 35,700 at home, and 45,920, including the depôts of the regiments in India and the colonies. These figures, however, do not include the Guards, numbering 5,953 men. The reductions made in the Line will also be extended to that portion of our army. By the arrangements which have been made for the return of these regiments from New Zealand and India, and by the arrangements made last year for recalling the garrison from the Ionian Islands, we are this year in a better position in respect to relieving India and the colonial garrisons than we have been for many years past. In the year in which we now are we have at home 40 battalions, in the colonies 46, and in India 55. During next year we shall have 47 battalions at home, 41 in the colonies, and 53 in India, the total number of battalions being 141. For the first time this year, therefore, we shall have one-third of our battalions at home, that being regarded as the proper number, because it enables each regiment to spend five years at home in return for ten years' service abroad. The subject of recruiting has already been discussed, and I have no doubt many hon. Members will raise the question upon the Votes in Committee. I have before this taken occasion to say that I do not believe that there is any good ground for the alarm and apprehension which appear to exist upon this subject in the minds of many hon. Members. Some short time ago the attention of the House was called to the fact that our army was 4,000 men below the establishment, and that certainly was the case, but everybody must know that at no time do the real numbers of the army absolutely correspond with the establishment as given in the Returns, because in some places they somewhat exceed and in others are slightly below the numbers stated on paper. There is frequently some uncertainty as to the exact time when men are to get their discharge, and recruiting at particular periods is more rapid than at others. For these reasons it has never, I believe, been considered practicable to keep the army exactly to the prescribed standard, but it is considered sufficient if the total average, the maximum, is not exceeded. I quite admit that at no time during last year was the army quite up to the full establishment. In moving the Estimates last year I stated that there was considerable difficulty in ascertaining what the exact number of recruits required would be, as an accurate calculation of the number of men entitled to take their discharge could not then be made. However, the calculation was not very much in fault, for we estimated that we should require 17,000 men, and at the conclusion of the year ending 31st March 15,600 recruits will have been raised. I am assuming that in the two weeks still to elapse the average hitherto prevailing will be kept up. By some oversight the Returns hitherto have not been properly tabulated, but in future they will show the number of men entitled to take their discharge each year, so that we shall be able to make our calculations accurately. For the purpose of estimating the levy money it is a matter of indifference whether men re-enlist or whether those taking their discharge have to be replaced with recruits, for the bounty paid to men re-enlisting amounts almost exactly to the same as the charges in the case of new recruits. We estimate that in the coming year 14,500 recruits will be required—a number less by 1,000 than that raised without any great exertion during the current twelve months. I say " without any great exertion," because the Committee must recollect that the bounty, which now stands at £1, is as low as it has been at any time, and if at that low rate we have been able to secure 15,600 men, we may feel perfectly secure that we shall obtain without difficulty 1,000 less in the coming year, and that by raising the bounty very slightly we should, if necessary, attract a large additional number of recruits. Before leaving this Vote, I must give the Committee an explanation of one item of £5,000 for allowances to quartermasters which appears for the first time in the Votes. On the recommendation of the hon. and gallant Member for Chatham (Sir Frederic Smith), a Committee was appointed to inquire into the complaints and position of the regimental quartermasters. The constitution of that Committee was, I believe, satisfactory both to the army and to the quartermasters and their friends. It was presided over by General Eyre, than whom hon. Members will admit a more impartial Chairman could not be found. The Committee went into the subject very fully and carefully, and the general result of their Report was that, although nominally the position of the quartermasters had of late years been considerably improved, certain sources from which they used to derive considerable accessions to their income had been taken away. At the time, for instance, when the clothing of the army was in the hands of the regimental colonels the quartermasters used to receive large sums, both from the colonels and the tradesmen who supplied the clothing. In later times when the necessaries were all supplied by tradesmen the quartermasters still received certain allowances for the trouble entailed upon them. And, although those sources of income were not openly recognized, it was well known that they existed, and upon their termination virtually the position of quartermaster ceased to be as lucrative as it was a few years ago. The Committee, however, did not think it right to propose any direct increase of pay; they thought it better to recommend a special allowance of £30 each to every regimental quartermaster; and they also recommended that certain advantages should be given to them upon their appointment, such as the payment of their mess subscription by the public. These recommendations have all been considered by the military authorities and by the Treasury, and, with some slight alterations, I may say that they have received general approval. The Committee have, however, thrown out a suggestion towards the close of their Report, that in future years the position and office of quartermaster may be placed on an entirely different footing, and be performed by some officer in the line of promotion. This recommendation, of course, was accompanied by the proviso that some other mode should be found of affording a prospect of promotion to the class of non-commissioned officers from among whom quartermasters are at present taken. I need not say that this recommendation of the Committee will be kept in view. We have already had under our consideration the possibility of appointing non-commissioned officers to many of the civil appointments in the army, and I am in great hopes that many openings of this kind will be found for them. Of this I am quite certain, that the various non-commissioned officers are thoroughly adapted for such appointments, and that still larger prospects of promotion may thus be opened to them than any which they have hitherto been able to look forward to in the position of quartermaster. I believe I have now stated all that is necessary with regard to Vote No. 1, which governs the number of men, their pay, and allowances.

On the subject of Vote 2, the Commissariat, I have little to say that need detain the Committee, except to mention that this year, for the first time, the new colonial arrangements have come into operation under which the whole of the colonial allowances are charged against the Army Estimates, while on the other side we receive a still larger additional sum from the Treasury on account of the colonial contributions. There is this year a diminution in the total taken for the Commissariat Vote, but this diminution is entirely owing to the reduction of the outlay on New Zealand, which last year caused a great increase of the expenditure for Commissariat purposes. It is proposed not only to bring home a considerable force from New Zealand, but the troops remaining will be concentrated, and withdraw to positions nearer the seaboard than they have hitherto occupied. The cost of transport, which till now has been enormous on account of the scattered position of the troops, will thereby be greatly diminished. With regard to the next Vote, for the clothing of the army, I have to call attention to the change in its form, made in deference to the recommendations of many Members of this House. It is now clearly shown what are the sums spent on the clothing manufactured by Government, and what are the amounts expended on the produce of cloth by contract. Let me also mention the difficulty which we found for some years past in the supply of a proper description of cloth for the clothing of the troops. Great inconvenience has arisen both from the non-receipt of the cloth contracted for at the proper time, and also, in many cases, from an admixture of shoddy or other deleterious material which cannot be detected by inspection, but which yet impairs the wearing qualities of the cloth. These circumstances indicated that, in spite of all our efforts to the contrary, the pains taken in the inspection of the cloth and the attempts made to secure the services of the best contractors, we were falling into the hands of an inferior class of contractors, and for some cause or other that the best men in the trade did not tender for our army supplies. Some officers of the War Office, responsible for the clothing, accordingly were formed into a committee, and went down into Yorkshire for the purpose of discovering the causes of these complaints, and had interviews with the principal cloth manufacturers both in the West Riding and in the West of England, by whom several recommendations were made. One of the principal reasons why the best class of contractors kept back, appears to have been that contracts were not entered into sufficiently long before the cloth was required, so as to allow adequate time for the production of the material. It is necessary, it seems, that arrangements should be made at least eighteen months before the cloth is required to be sent into store. Arrangements will be made to carry out this. There will also be a revision of patterns; and in all cases the manufacturer will be called upon, when he sends in his tender, to send in a sample of the cloth he proposes to make. This will be compared with the pattern, and the inspection of the cloth on delivery will be guided by a comparison with the sample which has been thoroughly examined and approved. It was recommended by a great many of the principal manufacturers that the Secretary of State should, in certain cases, not insist on the acceptance of the lowest tender, but should be allowed to accept the tender of a firm of greater reputation and better known excellence, even if somewhat higher in amount. It was also recommended that, in some cases when an order had been executed satisfactorily, the same manufacturer should be allowed to renew his tender without its being again put up for competition. It is possible that instances may occur in which either of these courses might be advantageously adopted; but the subject of allowing a departure from the system of accepting the lowest tender on all occasions, is one of such difficulty and delicacy that it has not been thought right to lay down any general rule with regard to it. If a tender should be received from any firm, and it should appear that cloth of proper quality cannot be supplied at that price, that will be a reason for reconsidering the respectability of the firm; and if there should be found such an exceptional case as that, of course it would be competent for the Secretary of State to accept a tender which might not be the lowest.

I now come to the fourth Vote, for barracks. There is a reduction to apparently a very trifling amount. Great economy has, however, been effected in this Vote, because this is one of the Votes to which I referred at the beginning of my statement, to which certain charges have been transferred from other Votes. The charge for instance in this Vote for rents of buildings has been very greatly increased. The whole of the items of rent for building now paid by the War Department are charged in this Vote. Several of them were formerly borne by the Engineers' and other establishments. The additional charges included in this Vote this year amount to £20,037; so that, though the reduction is nominally only about £1,000, it is really a much larger amount. The establishment of the War Office for conducting the barrack service has also been charged against this Vote, and transferred from the Vote for the administration of the army. A scheme is in course of preparation by which still further reductions will be carried out in this Vote, but it was not sufficiently advanced to cause the new establishments to be inserted in these Estimates. The general feature of the scheme is to reduce a considerable number of the barrack-masters employed, and the barrack districts in England will be assimilated to the general officers' districts. Each general officer will have a first-class barrack-master at the station whom he will be able to consult on all subjects connected with barrack administration, while in many cases barrack-sergeants and clerks will practically perform all the duties now performed by barrack-masters. The real reduction in this Vote has certainly to a considerable extent been caused by the reduction in the reserve formerly maintained of what are called barrack stores. There does not appear to be any good reason why a very large reserve of barrack stores should be kept up. They are not in the same category as warlike stores or camp equipments. If an army is suddenly called upon to take the field, there is no immediate necessity for a large supply of articles of barrack furniture. If the troops are sent to any foreign country or any colony, such articles can always be easily procured on the spot. Any great expenditure, therefore, upon stores of that nature only causes a large sum of money to be locked up unnecessarily, and also entails a considerable annual charge for taking care of them. I should mention, in connection with this Vote, that the experiment of a new system of managing canteens, which I stated last year was being tried, has been thoroughly carried out and has proved most successful. As opportunity offers, the canteens at our various barracks are no longer let to tenants, but placed under the management of a committee of officers, the actual superintendence of the canteen business being performed by a canteen sergeant. The effect of this arrangement has been not only that the soldiers are supplied with cheaper and better articles, but other advantages are conferred on them. In addition to beer and other articles of that kind for the men, groceries, vegetables, and similar articles required for their messes are provided by the canteen; and in some barracks, where the plan has been carefully carried out, I am told that a saving to the men amounting to 1*d.* per day has been effected, in addition to which, of course, they have goods of a better quality supplied to them. I must say I look upon this as a very great improvement in the barrack administration of the army. And I feel it my duty to remind the Committee that it is not only to those connected with the central office that the credit for this beneficial change is due, but very great praise is due to the regimental officers, who have cordially co-operated in carrying it out. A very great amount of additional trouble, of course, unaccompanied by any additional remuneration, has been imposed upon the regimental officers by their undertaking the management of these canteens. They have done it, I believe, in all cases heartily; and in every instance that has come under my notice the new system has been well and most efficiently worked out. The progress also made in regard to recreation-rooms has been considerable. I believe that in almost all our garrisons at home and in the greater part of those abroad recreation-rooms are now built or furnished by subscription. They are very much used by the men, and appear to be greatly appreciated, and they have been so far a complete success. And although I am aware that several Members of this House are in favour of garrison institutions on a more extended scale, I must point out that recreation-rooms, worked under the regimental system as they have hitherto been, have been a decided success; and I should be sorry to see introduced any other system which might perhaps disturb their progress and usefulness. The sum of £1,000 has also been taken this year for the commencement of an experiment to be tried in enabling men either to learn trades in the army or to continue the practice of those trades with which they were acquainted when they enlisted. This experiment has been carried out with great success in India; and although it is not probable that it can be so extensively adopted in this country, on account of the greater number of hours in the day for which the soldier is employed than is the case in India, still the system may be introduced to some extent here. I am adverting to what may appear to be trifling matters, but I confess I think them of considerable importance. By the establishment of improved canteens giving the men advantages equal to 1*d*. more pay per day, you are surely holding out a considerable inducement for them to enlist; and if you can offer them the prospect of still further increasing their emoluments by working at various trades — if, moreover, you make them more comfortable, as we are attempting to do, by means of recreation-rooms in barracks — and I wish hon. Members saw some of those rooms — the incentives to enlistment are still further augmented. As I said before, we are endeavouring to find as many openings as possible for the employment of non-commissioned officers retiring from the army, and I hope we may be able to provide still greater employment for pensioners than we do now. Every step taken towards improving the condition of the soldier is not only a step in the right direction, but tends to promote the efficiency of the army, and at the same time to increase the popularity of the service. The diminution shown this year in the medical Vote arises simply from the reduction of the force engaged in active operations in New Zealand, and the total cessation of the operations carried on last year on the Gold Coast. With regard to the militia, the arrangement which I said last year was contemplated has this year been carried into execution. It has been represented to the War Department that the number of days — namely, twenty-one — allotted for the training of the militia regiments is insufficient for bringing them up to a state of proper efficiency. There are many regiments numbering 1,000 to 1,200 men, and in order to give the militia another week's training without increasing the expense to the country, and at the same time to render those regiments more manageable in point of size, we have directed, not that their present establishment shall be reduced, but that they shall not be recruited up to a higher point than two-thirds of that establishment. A regiment, for instance, with an establishment of 1,200 men, will be in future recruited only up to 800; and with an establishment of 1,000 only up to 750, while the smaller regiments, which are more manageable, we do not propose to reduce at all. By this means, and the saving thus effected, we shall be able to give the militia six days more training. When we come to the Vote I shall be glad to hear the opinion of militia officers in the House, but the arrangement will, I think, be generally approved by militia officers. With respect to the Volunteers, I may observe that the increase in the Vote for that force is owing to the satisfactory cause that there is an increase in the number of those who are qualified by their proficiency in cavalry and artillery drill, for the allowance of 10*s*.

I now come to an important subject, which has been already discussed in this House, namely, that of our manufacturing establishments; including the whole question of the guns supplied to the navy as well as the army. I quite admit that the difficulties surrounding the manufacture of heavy guns have not yet been overcome. I certainly hoped when I introduced the Estimates last year that we should by this time be in a more advanced position in that respect; but I must repeat again what has been very often stated, and what seems to me to be a very material point—though we have heard contradictions with regard to it in this House—and that is that I believe no other nation is more advanced as to this question of heavy guns than ourselves. The only nation which, under the pressure of war, has been obliged to provide itself with guns of large calibre is America, and the Americans have resorted to the use of cast-iron; but that material for heavy guns has been long abandoned by the best military authorities, and is, I believe, entirely untrustworthy, in the case of any gun with which it is intended to use a heavy charge of powder. The system which Her Majesty's Government have adopted is the coil system introduced by Sir William Armstrong, which has been adopted for all the smaller guns, up to 100-pounders, and we see so far no reason to regret having determined to proceed on that principle. Sir William Armstrong has also made a series of experiments with guns constructed on the coil principle larger than 110-pounders. No doubt, as will always happen when an entirely new system is tried, there will be some mistakes, and, of course, there are always difficulties in such cases, but we have reason to think that a 13-inch and 20-ton gun and a 9-inch and 12-ton, and a 10-inch and 6-ton gun made upon that principle are perfectly satisfactory, and that if the circumstances were such as to justify a large expenditure, they might be safely manufactured in considerable quantities. So much difference of opinion, however, existed in the matter between men who are thoroughly conversant with the subject that it was, as the Committee are aware, thought right, now nearly two years ago, to afford Mr. Whitworth, who had accomplished so much, and Sir William Armstrong an opportunity of fully and fairly testing before an independent Committee the merits of their respective systems. The trial lasted, no doubt, a good deal longer than was expected, and it has tended, to a considerable extent, to the delay in the production of a heavy service gun. So much uncertainty prevails on the subject both in this country and in others that the Government have come to the conclusion that they would be hardly justified in asking the House to vote a very large sum of money for guns which may not next year be the best in which it would be our power to obtain. When the guns which are now being manufactured are constructed we shall in all probability be better able to judge what a heavy service gun ought to be. We have not, I may add, deemed it our duty altogether to postpone operations until the Committee appointed by Sir George Lewis shall have made their Report, though his intention was doubtless to suspend the manufacture of guns of both large and small calibre till that event. The navy, for instance, required a certain number of 64-pounders, formerly called 70-pounders, for use on board ship, and—one of the subjects which were under the consideration of the Committee being the system of rifling recommended by Sir William Armstrong as distinguished from that of Mr. Whitworth—and the Admiralty being unable to wait until the Committee reported—we resolved to rifle those 64-pounders which were absolutely required on the shunt or Armstrong principle, which is that with which we are best acquainted, and which we knew to be safe and serviceable. The Admiralty, as has been stated by my noble Friend the Secretary to the Board (Lord Clarence Paget), also informed us what were their immediate requirements for heavy 12-ton and 6-ton guns, and we made and are making a sufficient number to meet their wants. It is quite possible that the experience of another year may modify our present ideas both as to the construction of heavy guns and as to rifling; still, having been informed by the Admiralty that the navy stood in need of a certain number of guns, we did not hesitate to put those guns in hand pending the Report of the Committee. It is, I may add, quite true that we have not nor are we preparing any reserved store of heavy guns. We have not made guns for ships which are not likely to be armed this year—wishing to spend as small a sum as possible until a final decision is arrived at on the general question of what is to be the future armament of our navy. While upon this point I may say I quite admit that, as was stated by the hon. and gallant Gentleman opposite (General Peel) last year, this reduction of our Estimate is not likely to be maintained for any long period of time, because as soon as this important question is fully and finally decided it will, no doubt, be necessary for the country to spend a large sum for the construction of heavy guns, both for the army and navy and the armament of our fortifications. A very exaggerated impression, I may here observe, seems to prevail as to the necessary number of such guns, and their probable cost. I have heard it said that the armament for the new forts alone, together with the ammunition required, will involve an outlay of £17,000,000. The hon. Gentleman (Sir Morton Peto) who made the Estimate is not, I believe, now in the House; but I shall be quite ready to meet him here on any future occasion, and to show him that the cost is not likely to exceed £3,000,000. Still £3,000,000 for our forts, in addition to the cost of the heavy guns for our navy, is no doubt a very large sum, and I think the Committee will be of opinion that we are right in not going this year beyond our actual requirements. While upon this subject I cannot refrain from saying a few words with regard to a body of men upon whom, in connection with these matters, a very unjust amount of censure, it seems to me, has been cast. I allude to the Ordnance Select Committee, which has been blamed for almost everything it has done or left undone. It was stated the other day that the Committee are considered by the Secretary of State responsible for the adoption of any particular gun; that some of its members were inventors themselves, and that the plans of rival inventors had therefore no chance of being impartially dealt with. More unfounded charges could not be brought against a body of men. The Select Committee are not responsible;

neither the noble Lord the present Secretary of State nor the hon. and gallant Gentleman opposite (General Peel) would hesitate for a moment to admit that the Secretary of State alone was responsible for the adoption of any arm. The Select Committee was appointed to advise the Secretary of State and supply him—with the Commander-in-Chief — with the practical and professional knowledge which it was impossible the Secretary of State should possess. The Select Committee are not inventors, nor are they allowed to introduce any invention of their own. It is quite possible they may know and suggest improvements, but they certainly are not allowed to be inventors. A member of the Committee becoming an inventor would not be allowed to bring any important invention of his own before the Committee or to remain on it if such invention had to be reported on. The Select Committee have been blamed for the hasty introduction of the Armstrong gun — the 110-pounder; for the delay in large guns; for the 10½ and 12 ton guns, and for the introduction into the navy of the 8-inch smooth-bore gun. If my noble Friend the Secretary for the Admiralty (Lord Clarence Paget) was present, he would be the first to admit, and it was only due to the Select Committee to state, that the last-named gun never was recommended at all by them. That gun was the invention of the Admiralty, and if it were not successful the Admiralty were alone responsible. As to the introduction of the 110-pounder, the Committee had nothing to do with it. It had been adopted by the Secretary of State on the recommendation of Sir William Armstrong. The Committee never recommended it at all. The blame of the non-introduction of a heavy gun for the navy could not be laid at the door of the Committee. They are not a Committee of inventors, and they cannot deal with the rights and privileges of inventors. No doubt if it had been open to the Committee to set aside the rights of inventors they would by this time have come to a decision as to what would be the best heavy gun. But we can only take inventions with the consent of inventors, and, although a decision lately come to by the Court of Queen's Bench may seem to point in another direction, I am quite sure we in this country shall neither be prepared to take possession of any man's invention against his will or without making an honourable bargain with him. There are some subjects connected with the armament on which I would wish to say a few words. The House is aware that in the course of last year a Committee was appointed, not of scientific men, not of inventors, but of practical officers who had seen service of different kinds. That Committee was appointed on small arms, to report whether they should be breech-loaders or muzzle-loaders. After hearing some evidence, and comparing their own impressions, they reported, I believe, unanimously in favour of breech-loaders, if a breech-loader could be found. We had a very large stock of muzzle-loading Enfield rifles for the troops, Volunteers, and militia — about 800,000 stand of arms, and the replacement of these was a very serious matter. The first thing to be ascertained, therefore, was whether any system could be discovered by which the Enfield rifle might be temporarily converted into a breech-loader which might remove any necessity for taking a very rapid further action on the subject, and enable us to proceed carefully and deliberately in this matter. An invitation was issued to inventors for plans for converting the Enfield rifle into a breech-loader, the only conditions laid down being that the shooting of the arm should not be materially impaired, and that the cost of conversion should not exceed £1 per arm. Forty competitors answered the invitation. They were examined by the Committee, and seven or eight were selected for trial. No unnecessary delay took place in carrying on the trials, but the Reports were received only yesterday by Lord de Grey. Although I cannot so soon after speak confidently as to what may be the result, I shall probably be able when we come to that Vote to tell the Committee the result. I hope it may be found possible to adopt the system of conversion, and that the Enfield rifle may be converted into a perfectly serviceable breech-loader. At the same time, the Committee have laid down what they consider to be absolutely requisite in the new arm to make it a perfect military weapon and suited for the British army in every climate. We shall at once proceed to call for tenders from the manufacturers for the production of an arm fully answering the pattern. Of course, I do not pretend that the Enfield, when converted, will be anything like such a weapon. It has already been proved that the Enfield large bore was by no means the best. The new arm will be a small bore, it will be a breech-loader, and the cartridge will carry its own ignition. There does not exist at the present moment a breech-loader combining all these qualifications. No doubt we shall obtain such a weapon. If we can at reasonable cost convert 60,000 or more Enfield rifles into breech-loaders, and make them fit for the troops at home on any emergency, we shall have done all that is necessary to put ourselves in a position of safety as regards this point, until we shall be able more carefully to consider what a rifle breech-loader should be. With respect to the stores, as I have already observed, we have deducted from the Vote the sum of £35,000 for repayments from the colonies, from the Volunteers, and other sources. The Store Vote is framed to a great extent from the demands received from the different store stations, which are founded on the system of replacing in store everything that has been taken out within the past year. But it has not been found necessary to provide for the whole amount to be replaced. The total sum taken under this head has never been expended. The present Estimate is based on what had been received in former years; but a much larger sum for replacements will probably be received this year. The Vote for works has already been discussed. I will not reopen the discussion which took place the other evening with reference to the proposed works in Canada. No doubt, when we come to that Vote, the subject will be revived. The only other important new work is for Windsor barracks, which were in a very bad state. We have taken a large sum for additional improvements there, the foundation of the barracks being found extremely deficient. There is a reduction in the Votes for the Royal Military Academy at Woolwich and the Royal Military College at Sandhurst. That does not arise from any desire on the part of the Government to diminish the education provided for officers, but from the circumstance that we have found that the wants of the service as to young officers have been over-estimated. The number of cadets has now reached that which was anticipated, and the staff of teachers and professors has exceeded what was really required. The reduction of teachers and professors is very small. There will remain as many as the actual number of cadets whom we may expect to have to educate will require; and there will be no reduction of the amount of instruction given at either of these institutions. No money is taken this year for the Armstrong and Whitworth Gun Committee, because, though they have not yet reported, their experiments are concluded, or will be so within the remaining week or two of the present financial year. The Gun Cotton Committee is still conducting some very interesting and important experiments, and a sum of money is asked for it. The last Vote in the Estimates for the effective service is that for the administration of the army. The Committee will see that although the re-organization of the War Office has not been completed, there is a considerable reduction in this Vote. A Committee was appointed last summer and sat at intervals during the whole of the winter, which went very fully into all the questions connected with that subject, and has proposed some considerable changes in the department. The barrack branch, the engineers' branch, and the clothing branch, have been made separate establishments, and the clerks employed therein will no longer form part of the War Office. Other arrangements, with which it is not necessary that I should trouble the Committee, have been made, and the result will, I hope, be some reduction of the number of persons employed in the War Office. A still larger reduction of expenditure is anticipated from another change. There is a good deal of work which can be well performed by clerks less highly paid than at present; and the principle has been adopted of somewhat subdividing the duties, and giving to each branch a separate and distinct establishment. The hon. Baronet the Member for Evesham (Sir Henry Willoughby) asked for some further information as to the re-organization of the War Office. I did not quite understand the drift of his question; but when we come to the Vote I shall be happy to give him any information which he may desire.

I have now gone through all the Votes upon which it is necessary for me to say anything. I am afraid that I have detained the Committee too long, but although there is nothing very new in these Estimates, there have been many changes. Some explanation was required upon a great number of Votes, and therefore I hope that the Committee will pardon me for troubling them at so great a length. We do not claim for these Estimates any exceptional character. They are not based upon any immediate anticipation of a state of war. The reductions of the force of the army are the result of a change of organization which we believe will be a positive improvement. We think that it is a safe reduction, rendered possible by the withdrawal of our troops from certain stations, and we believe that it will not diminish our effective force. The reductions in the staff of the army and in the establishment of the War Office will, I hope, at least prove to the Committee that neither the Commander-in-Chief nor the Secretary of State for War have any wish to increase their private patronage at the public expense. With regard to arms great questions are still pending, and we cannot claim to have completely solved any of them. All the credit which we can claim is that we have worked patiently and earnestly in order to solve them, and that we have gone as far as we consider either safe or practicable in the direction of re-arming our forces. We have adhered to the course which had been adopted in former years with the object of improving the condition of our soldiers in their barracks, and providing for them amusement and occupation during their hours of leisure. A great deal remains to be done in this direction, and I hope that it will be accomplished, because I believe that on this to a great degree depends the future of our army. When the improvements are completed, and when the course which has been adopted becomes more widely known, I believe that we shall find no difficulty in keeping up the number and maintaining the efficiency of our troops. In conclusion, I hope I may say that both as to health and as to discipline the army is in a state which leaves nothing to be desired. We have lately had no great military operations to test the qualities of either of our officers or our men. In New Zealand, however, in a very trying kind of warfare, our troops have improved, and almost all our operations have been successful. Although there occurred one unfortunate reverse which caused the loss of a considerable number of men, the circumstances of that very repulse showed that the gallantry of our officers was as conspicuous as ever, and that led by those officers our men were as determined as ever to retrieve disaster. The noble Lord concluded by moving—

> "That the number of Land Forces, not exceeding 142,477 men (including 9,109, all ranks, to be employed with the Depôts in the United Kingdom of Great Britain and Ireland of Regiments serving in Her Majesty's Indian Possessions) be maintained for the Service of the United Kingdom of Great Britain and Ireland from the 1st day of April, 1865, to the 31st day of March, 1866, inclusive."

GENERAL PEEL: As it is more than probable that unless some unforeseen event occurs, these are the last Army Estimates that this House of Commons will be called upon to pass, I propose to compare them, as was suggested by the noble Lord, with the military expenditure at the time when the present Parliament was elected, and also to call the attention of the House to the sums of money which have been voted by this Parliament for the naval and military services, in order that when we go back to our constituents, we may be able to prove that if there are any deficiencies in the preparations for the defence of this country, it is not owing to any parsimony or want of liberality on the part of the House of Commons. I believe that both hon. Members and their constituents will be very much astonished when they hear the amount of money which has been spent during the existence of this Parliament. I am very anxious that the truth should be known upon this subject, because I have seen statements which have been made by hon. Gentlemen during the recess which show that when they are addressing their constituents without fear of correction or contradiction, they take the most extraordinary liberties with facts and figures, and instead of enlightening their constituents only mislead them. One statement to which I am about to refer, was made by the hon. Member for Liskeard (Mr. Bernal Osborne), whom I am very sorry not to see in his place. Anything falling from him must have a great effect, and not only with the assembly he addresses, for his speeches are read all over the world. The hon. Gentleman in addressing his constituents on the 21st of October, 1864, said —

> "Up to the year 1859, the expenditure of this country was increasing at a monstrous rate."

This announcement was very much cheered by his constituents, and therefore I take it for granted that they believed and agreed with him. Then he went on to say—

> "But since Mr. Gladstone has been the Chancellor of the Exchequer, since the year 1859, he has cut down the taxation from £72,000,000 in that year to £67,000,000 in 1864."

I think that any one would be led to believe from that that the Government which preceded the present one had been guilty of great and lavish expenditure, and that it was only when we had the good fortune to get the present very economical Administration that the expenditure was reduced and taxes were diminished. I meet the assertion with an authority that cannot be disputed, that of the right hon. Gentleman the Chancellor of the Exchequer himself. In making his financial statement last year, after mentioning what was the estimated expenditure, he said—

> "But it is higher than the estimated expenditure of 1858-9, which is the last year before we come to the year of a very high expenditure, £2,226,000, or if we correct the comparison by debiting ourselves with the amount of the Long Annuities, which we have saved, and also the expenditure for fortifications, but deducting £1,125,000 which now appears on both sides of the account, but did not so appear in 1858-9, there is an aggregate increase of £4,047,000."—[3 *Hansard*, clxxiv. 562.]

The question is, was the expenditure of the country increasing enormously up to 1859? I am now going to compare it, as the noble Lord did, with the Estimates of 1859-60. During the Crimean war of course the expenditure was enormous, and at one time it amounted to £44,000,000; but in 1857 the audited accounts of the army and navy showed that the expenditure upon those services amounted to £22,749,208. In 1858 is was £22,297,258. That is to say, that instead of increasing enormously it diminished by more than £450,000. In the Army Estimates of 1859-60, to which the noble Lord referred, and which were presented by Lord Derby's Government, the number of men voted was, I think, speaking from recollection, 122,000, and the total amount £11,500,000. The noble Lord says that £700,000 was paid by the Indian Government, and therefore the whole cost of the army would be £12,200,000. Now, we come to the expenditure of the present economical Government. In the year 1859 the expenditure upon the army and navy was £26,308,502; in 1860 it was £28,148,775; in 1861, £28,523,748; in 1862, £27,854,655; in 1863, £25,796,269; and in 1864, £24,176,074; making a total expenditure authorized by this Parliament of £160,808,023, exclusive of the Estimates for the present year, the Votes of credit for the war in China, and of the money raised by loan for fortifications. I have no doubt it will be said this increased expenditure is the result of the reconstruction of our fleet, of the supply of our army and navy with new guns, and of other improvements which modern science and modern warfare require. I am sure no one would wish to see this nation behind the rest of the world in such matters; but the question is, has this been done—has this enormous expenditure led to a satisfactory result. If this expenditure has placed our navy—I will not say in advance of, but on an equality with, that of other nations—if it has supplied us with a navy which will give to England that supremacy on the seas so necessary in her position—if it has supplied us with dockyards adapted to the requirements of that navy—and if that navy has been furnished with guns of the right description—then I say it is an economical expenditure, and no complaint should be made of its amount. But I am afraid, if our constituents read what has taken place in this House during the last few days, they will be far from satisfied that this desirable result has been attained, and will think our recent ships no great improvement on the old models. They will read that we have been building vessels not sufficiently protected to allow them to go into action, and not sufficiently fast to permit them to come out of it—that is to say, that they are neither fitted to fight nor to run away, and that their guns are not nearly adequate for the service they will be required to perform. They will read that not only are these guns not the best that can be obtained, but that we cannot make up our minds to which gun is the best, and that we are afraid to convince ourselves upon this point, lest we should find that the whole of this vast expenditure has been thrown away. But those are not the only grounds of complaint. I never felt more alarmed than when I heard the statement of the noble Lord with regard to the recruiting. The fears I have expressed in this House from time to time since the passing of the Limited Enlistment Act have been more than realized. The noble Lord told us last year that he intended to reduce the army by 1,464 men, not by an actual reduction of the then existing force, but by checking recruiting. This appears to have been done most effectually. During last year only 4,000 took their discharge and 13,000 men had been obtained during the year, against 17,000 required, so that on the 1st of last month 4,000 men were still required to make up the number voted by Parliament. It is no satisfaction to me to hear that the noble Lord does not want those men, because he is going to reduce the army by that number. The fact remains that he exerted himself to the utmost to obtain them, and that in time of peace, with reductions taking place, and having reduced the standard an inch, he failed in doing so. Why, next year there may be a further reduction by just the number of men who are wanting to complete the establishment, not because they can be dispensed with, but because they cannot be obtained. When I look at the great exertions that are made to recruit the army and at the number of men wanting, I refer to the statement I made as Secretary for War with the Returns before me on the 12th March, 1858—namely—

> "That during the time of the Crimean war I believed the greatest number of enlistments in one month was 6,000, but in the last month the enlistments had amounted to 7,500. For the last half-year men had been enlisted, including recruits for the East India Company, at the rate of 6,000 men a month, making 36,000 enlistments during the last six months."—[3 *Hansard*, cxlix. 135.]

On the 12th May, 1858, I further said 48,000 men had been enlisted in eight months. Two-thirds of these men are now in the service, but they will be all at the same time entitled to their discharge. How are they to be replaced? The noble Lord refused the Motion of the hon. and gallant Officer opposite for a commission to inquire into the system of recruiting, but in my opinion there is one step which ought to be taken immediately, and that is prolonging the first term of enlistment in the Guards and Line to twelve years instead of ten, thus placing them in the same position as the cavalry and artillery, and by holding out to all services the inducement of additional pay commencing at an earlier period than their pensions to encourage their remaining in the service, as we all know they are worth far more than an equal number of recruits. I am afraid when our constituents hear that we have failed in our ships and our guns, and that we have a great difficulty in procuring men for the army they will begin to think that we have been spending "not wisely, but too well." With regard to the Estimates for the present year, I think we have all been much gratified by the very clear statement the noble Lord has made this evening, and I am sure the House will agree with me in regarding the form in which they are presented as a great improvement upon the method formerly adopted. With the explanations given as to the causes of the increase or decrease of the various Votes we have a full idea of the expenditure. The whole of the Estimates are laid in detail before us, and there is only one omission of which I have to complain—namely, that there is no regularly balanced account relating to the manufacturing Department. There is no reason why such an account should not be laid before us to show the exact produce of each Department—to enable us to ascertain how many guns we have obtained in exchange for the enormous expenditure under this head. There ought to be a regular balanced account showing not only what our works cost, but what they produce. The great objection, however, which I have to find with the Estimates is, that they are all based on two suppositions—the one that we have put an end to two wars which are still raging, and the other that there is no chance of our ever having another. The total reduction of money now to be voted by Parliament, compared with last year, is £495,641, and that is almost entirely made up in three Votes. On Vote No. 1 there is a reduction of £274,000; on Vote No. 2 of £113,247; and of Vote 13 of £87,519. This reduction can only proceed upon the supposition that the war in New Zealand is at an end. The reduction in the article of provisions is put at £113,247, and we are told the troops now in New Zealand have been ordered home, and that transports to convey them have absolutely been sent out. Now, I want to know whether there is anybody in the colony, either Commander of the forces or Governor, who has power to detain those troops in case of necessity, I ask this question because I read in *The Times* of Monday last that it is more than probable that the services of these troops will still be required. Again, there is an item in the accounts of £160,000 repaid into the Exchequer by New Zealand for the services of Imperial troops to be left in that colony. I wish to know who will have authority over these troops who remain in the colony. Are they to be under the orders of the Commander-in-Chief, or are they to be mere mercenaries under the orders of the local authorities, who may employ them in what service they think fit? I should be sorry to see British troops placed at any time in such a position. The Estimates, however, are based on the supposition that these troops come home, and then the noble Lord told us with reference to the general disposition, that there would be 47 battalions at home, 41 in the colonies, and 53 in India. But if these troops are to be left in New Zealand, how is this distribution to be carried out? I want to know, also, whether the Indian battalions are to be removed from China, because ever since they have been there it has been stated that they were just going to be removed, and yet they are still there. The whole of the Estimates, as I said before, are based upon these two intended removals, which probably neither can nor ought to take place. The great advantage of the new manner in which the Estimates are presented to us is, that we see at once the number of Indian troops employed and paid for by the Imperial Government. We have had formerly 10,000 or 12,000 Indian troops in China paid in the first instance by the Indian Government, but finally out of the Imperial Exchequer, without any control whatever on the part of this House over the number employed or expenditure. As to the reduction of £119,000 for gunpowder, I think that also requires some explanation. It may be very desirable to reduce the stock of gunpowder, but if the saving in the Vote is caused by reducing the amount in store, and not in the price of the article, it is no real saving. There is another item, likewise, which I should wish to hear explained. There is a reduction in the "levy money for recruits," and the explanation which accompanies it is, "Charged to the expenses of the depôt;" but it appears to me to be charged exactly as it was last year. I have heard that by a mistake last year the stoppages of pay on account of rations for troops aboard ship were calculated as sums to be paid over to the Indian Government instead of to the British Government. We have never had the details of the capitation arrangement for men aboard ship clearly stated to the House. Before sitting down I wish to allude to another matter—to what appears to me to be the shabbiest transaction ever entered into by any Government in the world. The year before last officers were applied to for stamp duties on commissions which they had ten years before. No application had ever been made to them for this money before, and some of them had never received the document for the stamp upon which they were called on to pay. Certain of those officers stated they must decline to pay till they had the commission; but it was said to them, "You will get the commission if you pay." Well, a number of them did pay; and in the case of other officers the amount of the duty was stopped out of their pay. But from that day to this they have never received the commissions. In fact, I do not think those commissions ever existed. If this is the case let the Government say so at once; but if the commissions are in existence, and the officers are made to pay stamp duty upon them, surely they ought to have them without delay. In any case I cannot see what right the Government has to charge these duties until the commissions are actually signed. I shall reserve any other remarks I may have to make till other Votes are before us, and confine myself to these observations on the Vote for the number of men.

Mr. AYRTON said, that if the right hon. and gallant General referred back to 1858-9, he would find that the expenditure was then increasing. In point of fact, there had been a general increase in the naval and military expenditure of the country down to the present time. It appeared to him that the statement of his hon. Friend the Member for Liskeard (Mr. Bernal Osborne) was consistent with the fact. The hon. Member for Liskeard had said—

> "Taking into consideration the state of the peace establishments prior to the Crimean war, their state after that war, and their present state, there was shown a large increase."

and this was a fact which could not be disputed.

Sir STAFFORD NORTHCOTE defended the comment made by the right hon. and gallant General on the statement of the hon. Member for Liskeard. The language of the hon. Member implied that there had been an increase of expenditure down to the year 1859, and that from that year it had gone on regularly diminishing. That the statement was founded on a false impression seemed to be proved by the fact that the Chancellor of the Exchequer and the noble Marquess at present congratulated the House and the country on the reduction of the military expenditure to the level of the year 1858-9. They need not, however, then discuss that question, and he thought that too much had already been made of it. There was one point on which he should be glad to receive some explanation, and that was Vote 18, for the administration of the army. He wished to give notice that when they came to discuss that Vote he would ask for some information with regard to the reduction which it was stated had taken place at the War Office. He found that a sum of £110,000 was now asked for the clerks in the War Office, while the Vote on the same account last year was £120,000. There was appended to the Vote a note to the effect that a reorganization of the establishment was at present in contemplation. When they came to the Vote he would ask whether there would be any objection to lay upon the table the Report of the Committee which had, he believed, been inquiring into that subject, and had recommended such a reorganization. Such a change would give rise to a number of questions, and he thought it was very desirable that they should have before them the Report on which the reorganization was to be founded.

SIR JOHN TRELAWNY thought that the statement of the noble Lord was a very straightforward, business-like and intelligible statement. At the same time, hon. Members sitting below the gangway were entitled to express their opinion on this subject, for they had to reconcile the masses outside to this enormous Vote of nearly fourteen millions and a half. The point to which principally he wished to allude was the distribution of appointments. The colonelcies of regiments were appointments of great value, and he was sorry to say that in some instances they were bestowed on officers not best entitled to them. These were mere sinecure appointments, and he could not help thinking that they placed in the hands of the Government a very dangerous kind of patronage, for there were many Members of both Houses of Parliament to whom they would be extremely acceptable, and several of these prizes had been thus bestowed. He challenged opinion on this point, and asked whether it was not true that at every mess in the British army some of the recent appointments had been the subject of comment. They had been distributed in a manner that was not proper nor correct. They had the case of Lieutenant General Lord De Ros, who entered the army in 1819, and after passing through various ranks was made Deputy Lieutenant of the Tower in 1852, the salary of which office (with table money) was £746 15*s.* a year; and yet the other day he was named a full colonel of a regiment of cavalry, his pay as such colonel being set down in the Estimates at £1,350, and it would seem that he would receive in all some £2,096 15*s.* Under all circumstances his appointment to this colonelcy was a scandalous and an improper one. He had been told that this colonelcy had been given to the noble Lord because the new order with respect to holding two offices had not come into force at the time when he became Deputy Lieutenant of the Tower. But why was it necessary to confer on him the colonelcy? He (Sir John Trelawny) had heard that General Hawker had been obliged to give up a governorship on attaining to a regiment. However, suppose the rule was a good one, and that it did not take effect when this colonelcy of Dragoons became vacant, there were numerous officers of distinction on whom the appointment might have been conferred. Lord De Ros might be a most excellent officer, but the fact seemed to be that he had never been in the presence of an enemy. This was no doubt his misfortune. Still, he (Sir John Trelawny) believed this was the case. It was perfectly true that the noble Lord had been in Turkey at the beginning of the war with Russia, but unfortunately, through sickness had been obliged to return home, and had not accompanied the army to the Crimea. All these things went to create an impression that the system of promotion was one intended for the benefit of the people connected with the two great political parties, and that those who had no influence with them would get scant justice. With respect to the mess system he had been informed that not a few meritorious officers had been obliged to leave the army in consequence of the extravagance of mess expenses. That was not the case in the French army. Only to-day he had read in *The Times* an account of the economical manner in which officers could live in the French army. In our army officers were led by their colonels or by the absurd ideas of their brother officers into all sorts of extravagances, and the consequence was we had not the class of men flocking into the service who would make the most usefu officers. He agreed with what had fallen from the gallant General as to the ten-years men. He was one of those who wished to make the army better. It was not enough to say that we had saved so much more in the army this year than last; what we wanted was efficiency. Expense was a mere bagatelle as compared with efficiency. He had heard from one of our best generals — and we had not many good ones — we had Generals Cameron and Gordon of the Engineers, perhaps, who was coming home from China —on the authority of a general who was just leaving his post, whose name he would not mention, that one regiment of ten years men was worth three regiments of recruits. The ten years men knew their duty; they were like clockwork. Only tell them their duty and they would do it. But a parcel of recruits took three years before they could be made into good soldiers. Then, there was the purchase system, about which something was to have been done five or six years ago, but people seemed to have gone to sleep about it now. He knew officers who had suffered severely by it—one officer in particular, a cavalry officer who had fallen before a square at Waterloo, whose family had lost some £23,000 by the purchase system. Another officer who had distinguished himself at Balaclava had been obliged to leave the service because he had too much money involved in the purchase of his commissions. And a third had left a Dragoon regiment on account of the extravagant system prevailing in it. These were all serious considerations, and he hoped they would receive the attention of the Government.

Colonel NORTH said, that he wished to make a few remarks upon a subject which he had alluded to upon a late occasion. He had been taken to task by the noble Marquess the other night because he had expressed an opinion that the recruiting of the army was at a dead lock. When he found that the opinion out of doors was that the army was hundreds below the establishment, and when the noble Lord admitted that, instead of hundreds, it was thousands below the establishment, he did not think there was much reason for objecting to his statement. He could hardly understand the constitutional mode of proceeding adopted by the Government when it was found one morning that the number of men for the army voted by the House of Commons had been reduced without warning by 5,000 men. It might be that some day the Government might take upon themselves to reduce the number of men by 40,000. He considered, therefore, that he had been justified in saying that recruiting was at a dead lock. The noble Lord must know that not a day passed but that men below the standard were enlisted because it was impossible otherwise to approach the required number. The noble Lord also said that the Limited Enlistment Act was working as well as was expected, and that the proportion of men who re-enlisted after taking their discharges remained about 60 per cent. That was exactly what the opponents of that measure had always expected. The fact was that out of every 100 old, trained, well-disciplined soldiers, 40 left the army, and from the information he had received from commanding officers those 40 were exactly the men whom it would be most desirable to retain in the army—the best conducted men, who left because they could be certain of getting employment elsewhere. He had himself received an application from the son of a cottager upon his own estate who had served in the 3rd Light Dragoons, from which he had obtained his discharge, for a recommendation for employment in the county police, and upon urging the man who had four or five medals, to continue in the army, the reply was, "Why should I remain in the army, when if I re-engaged to-morrow I should receive no higher pay after my 12 years' service than a recruit who joined only the day before?" He had been informed also by railway officials that they were constantly engaging old soldiers, who in nine cases out of ten turned out very good men. There was one question he wished to put to the Government, and that was what they proposed to do the year after next, when the 15 additional battalions formed in 1857 would be entitled to their discharge. The number of men who might claim their discharge from those battalions in 1867 was 5,330, and, according to the noble Marquess's calculation, 2,140 of those men would leave the service. He did not know where the noble Marquess got his information from as to the satisfactory working of the limited service system, but he (Colonel North) was assured almost daily by commanding and regimental officers that if the system were allowed to continue unaltered it would prove completely destructive to the British army. He would refer the Committee to the opinion of the late Lord Herbert, who when Secretary for War, nine years since, said, "In any change that we make we must be careful to have the assent of the great body of the profession." But in the present instance the opinion of the profession was not in accord with the noble Marquess as to the advantage of the ten years' service system. The noble Marquess on a former occasion said that he (Colonel North) told the class from which recruits were usually obtained that the pay was inadequate, and that any man who had any respect for himself, and could do anything else, had better not dream of enlisting in the army, and, said the noble Marquess, "I imagine the hon. and gallant Gentleman is one of those country gentlemen who make the village too hot for the recruiting sergeant if he ventures to show his face in it." He did not know upon what grounds that opinion was formed, but he could assure the Committee that he always did all in his power to induce the young labourer in his neighbourhood to join the service, believing as he did that for a well-conducted man no avocation held out better prospects. The noble Marquess on a former occasion had also told the House that "our system of enlistment did, he believed, sweep to a great extent the refuse of large towns."

THE CHAIRMAN: The hon. and gallant Member is out of order in referring to a past debate in the present Session.

COLONEL NORTH would then simply refer to an expressed opinion of the Under Secretary for War as to our army being largely composed of the sweepings of towns. That was a statement which he heard with deep regret, and which had been very hurtful to the feelings of men in the lower ranks of the army, where were to be found men of as high and honourable feelings as in any other class of society. The country, too, would wish to know how it was that an army so composed could produce a body of men who for respectability of character were not to be surpassed, and whose gallantry on the field and loyalty to their Sovereign were unequalled, without whom no regiment could exist—the non-commissioned officers of the British army. The noble Marquess's observations on the former occasion—he hoped they were not intended so to do—had given great pain to the whole army. He had been a Member of that House for many years, but he never heard a speech more insulting to a gallant and distinguished body of men than the speech of the noble Lord. He would now refer to the case of Lord De Ros, who went out but did not reach the Crimea, because his health failed him. There was no reason, however, why an officer who had done his duty for forty years should receive no reward. If an officer refused to go on foreign service that would be another thing, but it was Lord De Ros's misfortune and not his fault that his health failed. He was sure that the hon. Baronet had not intended to cast any reflections upon the noble Lord. He did not think it fair on the part of the noble Lord to attack him as he did on a former occasion, and he (Colonel North) only wished that he had had then the opportunity of following him.

SIR JOHN TRELAWNY wished to explain. His case was, that there were other officers more deserving. He did not desire to cast any reflection on Lord De Ros.

SIR HARRY VERNEY said, that he believed that every officer in the army would admit that there were many private soldiers in the service who were just as honourable and trustworthy men as the officers who commanded them. The House was bound to express its opinion on the ten years' enlistment system. The Government might feel obliged to come to that House for pecuniary support for improving the condition of the soldier, and the House ought to be prepared to say that it would be ready to entertain any proposal that contributed to the efficiency of the army, and tended to retain valuable men in the service. He happened to have in his hand a letter from the commanding officer of a regiment in India, who said that the operation of the Ten Years' Act, under existing rules, was heartbreaking. The officer added that he had lost ten sergeants and 120 men this year—men in the prime of their soldiering life, and of excellent character, and next year he should lose an equal number. That was in Central India. They could not resist the temptation of coming home with a free passage to see their friends. This officer expressed an opinion, in which he entirely concurred, that a ready-made soldier was a much more valuable article than a recruit from the loom or the plough, and that he deserved a higher rate of pay. He gave the noble Lord full credit for his desire to improve the condition of the army, and he believed that it was in the power of the military authorities, assisted by the House, to make soldiers the most respectable body of men in the country; so that a man who had served and returned to his native village should be looked upon as a trustworthy person, fit for employment of almost any kind. When a young man entered the army he ought to be certain of obtaining good treatment, a fair measure of education, and, above all, instruction in some trade by which he might be able to support himself when he left the service. After a certain period of service he ought to obtain increased pay and facilities for marriage, and at length should retire from the army with an adequate pension. The suggestion made by the hon. Member (Mr. O'Reilly) the other night to connect the militia with local regiments of the line, was, he thought, very worthy of the attention of the Government. It need not be denied that the army was less acceptable in many respects than it used to be. There were many reasons for it. A large portion of the soldiers life was spent abroad. A soldier who had been eight or ten years in India came home, and instead of being sent to some amusing quarters he was despatched to Aldershot. Now Aldershot was detested by the army, and he would not have the military authorities conceal the fact from themselves. It was wisely intended as a place for drill, and for brigading troops. In summer, however, it was most dusty and disagreeable; in winter it was muddy, cold, wet, and miserable. The huts were abominable, and full of vermin; the ground was saturated with emanations, and the huts ought to be at once done away with. The soldier required to be amused, but places had sprung up at the very edge of the camp that were a disgrace and a scandal, abounding with every sort of abomination, because the Government would not buy a little more land. He asked the House to consider the position of the country, and of the soldier after ten years' service. A soldier having learned his drill was a valuable man, and the country was anxious to buy his services. He believed that the opinion of a distinguished general officer which had been quoted was true, that a single regiment of drilled men was worth three of recruits. A great many of our ten year men had been decoyed over to the Federal States, because this country was so foolish as not to secure their services. He wished to ask one question. It was said that it required three years to make a good private soldier, but he should like to know how long it took to make a good Adjutant General? He believed that the discharge of the duties of that office at the Horse Guards could not make one in less than four or five years, for it was his duty to know the value of every officer of every rank in the service, and to be able to advise the Commander-in-Chief. Under the new system just as an officer had learnt his business he left the Horse Guards. There could not be a better Adjutant General than Sir George Wetherall. After five years he was changed. Now there was another just as good, and he was about to be dismissed. Such a practice was too absurd. Because Sir Willoughby Gordon held the office of Quartermaster General for forty years, the staff of the Commander-in-Chief was to be changed every five years. He challenged the noble Lord to produce the authority of any one general officer in favour of the present system. He trusted that, for the sake of the army, the present Adjutant General would not be dismissed at the end of his five years.

Colonel DICKSON said, that he could not but regard the remarks of the hon. Member for Tavistock as unworthy of him and of his position in that House. He did not stand there to justify the appointments of the Horse Guards. He had always thought that those appointments could not be discussed in that House with advantage to the service. Should any flagrant case arise, no doubt the House would interfere, but as a rule these appointments ought not to be made the subject of discussion. He believed he was as well acquainted with the military messes as the hon. Baronet, and he would venture to say that there was not one military mess in the whole of the service where those appointments had been generally disapproved. No doubt disappointment had been experienced in some quarters, but throughout the army the appointments had experinced gėneral approval. The hon. Baronet then told the House that there really existed no general in the army. [Sir John Trelawny: Very few.] Such a statement as that ought not to go forth to the world without being fully contradicted. We were well aware that our enemies had to their cost been made acquainted with the power of our generals, and our friends had no need to be informed of it. Then came the old story of extravagant and ruinous messes; but he would venture to say that no officer had been ruined through his mess expenditure. The real truth was that oftentimes expenditure of money in other directions was attributed to the expenses of the mess. He had never listened to any speech with greater pleasure than he had to the admirable statement made by the noble Lord who had introduced the Estimates that evening. Everybody must have been pleased with the ability which the noble Lord had displayed in delivering so good a defence for so bad a cause, because upon examination he believed it would be found that the Estimates were the worst which had been introduced for some time. A great deal was said of a peace establishment and a desire for economy, but Estimates were presented within £2,000,000 of the highest which had ever been laid on the table. There was a nominal reduction of £450,000, but that reduction was in reality owing to the fact that our army was to be reduced by 4,000 men, because, as has been shown over and over again in the House, the cost of our soldiers was about £100 a man per annum. He believed, too, that those 4,000 men were reduced merely for the purpose of covering our failure in recruiting, because there was no doubt that our army was deficient of the number of men. Then he perceived the repetition of the old story about Aldershot. He was one of those who had always regretted the existence of the place as the cause of much of the unpopularity under which the army laboured. He had heard frequent complaints from officers, non-commissioned officers, and soldiers at having immediately on their return from service, to serve for a couple of years at one of these monster camps, surrounded by all kinds of immorality and vice. There was also to be a great reduction in the War Office. Out of some £350,000 which that large establishment cost the country, there was to be a reduction of £10,000, which he was told, however, would, upon examination, turn out to be no reduction at all. He fully credited the reduction in the militia; but, in reference to the drill of that body, he thought that twenty-one days' exercise would prove sufficient, and he would be glad to see the days reduced, and a better permament staff appointed. Still he believed that the step proposed was one in the right direction. He certainly could not approve the Estimates, which, in reality, embodied a diminution of expense consequent upon a reduction of men.

Mr. POLLARD-URQUHART reminded those hon. Gentlemen who complained of the expenditure that the right hon. Baronet the Member for Stamford (Sir Stafford Northcote) in his review of the financial policy of the last twenty years, stated that the war of 1853 was most unfortunate as stirring up the bellicose and turbulent passions of Europe, and thus making a heavy expenditure necessary. It was true that in 1858-9 there was a very moderate budget, with an income tax of *5d.* in the pound, but the Estimates were at the same time—in order to satisfy the demands of the country for increased armaments—exceedingly high, and when the present Chancellor of the Exchequer came into office, he found a deficiency of £6,000,000 to provide for, so that while his predecessors kept the taxes low, they did so by leaving the bills to be paid by those who came after them. The country had been engaged in a great experiment, changing the mode of warfare, and some mistakes involving expense had unavoidably occurred, but he hoped that when Parliament next assembled, which ever party might happen to be in power, they would do their best to allay the bellicose and turbulent passions which had been excited in Europe, and reduce the expenditure which the existence of those passions had rendered necessary.

Colonel DUNNE said, that he thought the hon. Baronet (Sir John Trelawny) was wrong in condemning the appointment of Lord De Ros to the command of a regiment; but his remarks had raised the whole question as to how these appointments were to be made — whether they were to be made the reward of long service or services in the field. Now everything relating to this matter was uncertain. At one time one course was followed, at another time another. He wished the noble Lord, if he could, to tell them the rule of the service. A gallant Officer had alluded to another branch of the service, in which appointments were equally uncertain—that was the rule in respect to staff appointments. He (Colonel Dunne) quite agreed with him in the opinion that at the Horse Guards the officers of Commander-in-Chief's staff ought not to be changed so frequently as every five years, which was the rule laid down (though evaded) for holding general staff appointments of the army. It was a subject of complaint that there was no distinct rule laid down, which everyone could understand, in respect to those matters. The appointments according to the rule were made for five years, but now was it applied, equally as well? Certainly not, for we find one officer is transferred from staff appointment to staff appointment, while another at the expiration of his time, is sent about his business, and it is hard to persuade people that favouritism and interest does not guide the selections. The rule as to five years might be made generally, if not undesirably, for the staff of the army, and the appointments at the head-quarters be regarded as exceptional for the duties of such officers required extensive acquaintance with the characters and views of all who served in the army, and at the end of five years they might be compelled to leave office just as they had acquired the knowledge most useful to a Commander-in-Chief. He did not think it advisable to enter into the services of the officers whose appointments had been made the subject of dispute, but some distinct and intelligible arrangement should be come to, so that the Horse Guards should not be exposed to the suspicion of favouritism. The system of purchase had also been alluded to, and an outcry against favouritism had some years ago been raised against the means it was said to afford of promoting the friends of influential persons. Now, it had been already proved that the abolition of purchase was impossible, without incurring a very large expense for rewarding officers who wish to retire. But at the very moment when Secretaries at War, especially the late Lord Herbert, were declaiming against the purchase system and no one in theory supported it, they were actually themselves trafficing in the sale of commissions, and did so at the present moment. By means of those sales the War Department had at its command a fund which it used for still further extending this purchase system, the manipulation of which they themselves were only acquainted with. With reference to the question of recruiting, he believed there was no greater absurdity than our system. Some years ago the first period of service for cavalry was twelve years, and the infantry ten years. There was a strong opinion expressed in favour of the longer period by himself (Colonel Dunne) and other military men both in and out of the House, and even a Committee who had inquired into the subject had recommended it, but, so far from acting upon that recommendation, the military authorities reduced the cavalry service to ten years, instead of raising the infantry service to the longer period. And what was the consequence? We were losing our men every day. A cavalry soldier in India at the end of his ten years was sent home at a cost for his passage alone of £26, and then, upon his arrival in England, if he volunteered to re-enlist he was sent back to India at a further cost of £26, exclusive of all other expenses or another to replace him. The country was thus put to an expense of £52 for every man that left. Whereas, if a bounty of only £10 were offered him in India upon the expiration of his period of service, he was informed, by the best authorities on the subject, officers who had returned from that country where they had commanded regiments, that the men generally would gladly re-enlist, and this enormous cost be saved. Now, what ought to be done on this head should be done at once, for it was certain that recruiting was falling off. It was probable, if a proper inducement were offered, that there were plenty of men ready to enlist, but it was a fact (that even admitting the number of recruits enlisted, as the noble Lord stated during the last few months) we did not obtain a sufficient number to fill up the casualties in our army, but not only had the numbers of enlistments fallen off, but the quality and physical force of our recruits had much deteriorated of late years. And if we were to go to war to-morrow we should find out that fact. The men who were joining our army now were very inferior to the men of fifteen or twenty years ago. Any commanding officer could inform the noble Marquess of that if he or the War Department would condescend to ask those who were capable of telling them the truth. He had seen within the last three days in Dublin a set of men in the service who would not have been admitted into it twelve or fifteen years ago. Good men did not enlist because they would not get the rewards which they deserved. The regulation for what they called consolidated pay was an injury to the non-commissioned officers of which complaints were made. It at once added 2*d.* a day to their pay on appointment, but this advantage of 2*d.* a day additional pay deprived a non-commissioned officer of the good-conduct pay which he ought to get as his service went on, in fact there were privates who by length of service and good conduct were receiving 5*d.* per diem above their regimental pay, but a non-commissioned officer by this objectionable warrant must serve his whole period without additions to the 2*d.* per diem it conferred, the boon was delusive and impolitic, for it was desirable to hold out every inducement to good soldiers to seek promotion. Another cause of the indifference to enlist, of which we complain, is the dislike the men feel to their prolonged quarters in those huge barracks, falsely called camps of instruction, such as Aldershot. No doubt the camps of instruction were excellent, but the huge barracks themselves were detestable to the men, and they produced an injurious effect upon our recruiting system. Several of the men in Aldershot, who had seen fifteen years foreign service, he had reason to believe, would much prefer going back to foreign service than be constrained to live there any longer. A more ill-selected spot could not be chosen. The dust in summer was frightful, and he thought must be injurious to the health of the soldiers, and he knew for a certainty that it was injurious to the preservation of their clothes. The hon. Baronet, he thought, had made a great mistake when he condemned the mess system, and no military men would agree with him without condemnation. Now he (Colonel Dunne) was convinced that nothing kept our officers better together than their messes. Foreign officers generally approved of our mess system, and some were even adopting it. It was carried on now at much less expense than when he first entered the army, and it appeared to him that it would prove injurious to the service if those messes were to be abolished. As the Votes proceeded it was his intention to point out more particularly his views upon the various points to which he referred.

COLONEL SYKES congratulated the noble Marquess upon the lucidity of his statement to-night, and also upon the improvement which had been made in the mode of bringing forward the Estimates, though a good deal still remained to be done. He agreed with the right hon. and gallant Gentleman the Member for Huntingdon in what he had said with respect to the £160,000,000 which this Parliament had spent in what was called providing for the defence of the nation. It was not the men he wished to see diminished or their comforts curtailed, but it was the constantly increasing charges incurred in the outlay on fortifications, in the manufacturing establishments for the army and navy, and in the number of officials who were employed and who did not do as much as they ought for the salaries which they received which should be attended to. For years past the House had been asked for lump sums for small arms, guns, and other purposes, but they were never told the quantities that were required, although he had annually complained of the omission. Surely if an estimate could be made of the money that was required, it must be founded upon the number of rifles and cannon that would be wanted. In the French Estimates the numbers and quantities of materials were always given. Why could not the same be done in the British Army Estimates, and then the House would have the means of appreciating the economy with which the work was done. There were twenty-seven Votes in the present Estimates, but explanations of six of them only were given in the Appendix. The noble Lord had stated that 1,354 native troops now at Shanghai had been struck off the Estimates this year. He begged to ask whether orders had gone out to send those troops back to India, and when the English Budget would be relieved from their pay, because he had received by the last mail, accounts dated the 7th of January, that these two Indian battalions were still at Shanghai engaged in competing in athletic sports with the sailors of Her Majesty's ships. The number of troops had been reduced, it appeared, by 4,289, but he found that the reduction of officers was only fifty-three. The proportionate reduction of officers as between officers and men had not been kept up, and instead of fifty-three, no less than 226 officers ought to have been put on half pay on the reduction of 4,239 men. Another matter he must refer to was the subject of recruiting. Considering the present drain on the population of this country by emigration and in other ways, he questioned whether the available youthful sinew and blood of England would suffice to supply the vacancies in the army of 72,000 men in India. It was a great blunder in his opinion to have destroyed the local European army in India, and he believed the time would come when we would have to reorganize it. He thought the present ten years' service might be advantageously extended, and he believed that if the soldiers were located for twelve years in India, they were more likely to become attached to the country, marry native wives in many instances, become acclimatized, and acquire sympathies for the country and the people, so that when their twelve years' service was out they would, instead of coming home, remain in India for the rest of their days, and, as old soldiers, become invaluable; such, at least, were some of the results with the Company's European troops. With regard to the British army he regarded the system of purchase as a mistake, because in the greater number of cases it compelled an old and experienced officer in the interests of his family to sell his commission rather than risk the total loss of the purchase-money by his own death, and the country lost his services at a period of his life when they ought to be retained. As to the camp at Aldershot, it was a misnomer to call it a camp at all. It was, in fact, a standing cantonment, with all the disadvantages of being neither a garrison town nor a camp, and the health and morals of the men suffered by being kept there throughout the year. The French did not pursue this system. In the summer months they collected their regiments from the garrisons and towns, sent them into tents or huts to learn the duties of a camp life, and after they had been practiced in evolutions for a few months they were then sent back to their garrisons. The noble Lord the Under Secretary for War stated that the extra receipts last year amounted to £1,324,442; but it did not appear that the whole of that sum had been paid into the Exchequer. Credit was given for only £791,000, and he begged for an explanation why the Exchequer had not received £1,324,442?

Sir FREDERIC SMITH said, that he rejoiced at the improvements in the form of the Estimates which had taken place since last year; and all the alterations in the details were improvements. But in future years we wanted similar improvements containing more detailed information with regard to our manufacturing establishments. He had always urged that the Estimates should show the work to be performed. With regard to the mess system, he had been a member of a regimental mess for thirty years, and had never known an instance of an officer being ruined by it. The best social results were obtained from it; it kept up the tone of the officers, maintained an *esprit de corps*, and made the mess a family. He should be sorry to see the French or any other continental system introduced in its place. As to Lord De Ros, whom he had known from his youth, he must say that he never knew an officer who more devoted his time and his mind to the cultivation of professional knowledge; and when that gallant officer was going out to Lord Raglan's army on the staff, he (Sir Frederic Smith) congratulated his Lordship on his having so able a man in his army. Had Lord De Ros's health been sound he would have proved himself an ornament to the army, but he was compelled by ill health to return home. The hon. Member for Buckingham (Sir Harry Verney) ought to know that the staff system—namely, the retention of office for five years only—was adopted by a Commission, of which the late Lord Herbert was Chairman; and the present Lord Dalhousie and Earl Grey were of opinion that it was based on a sound principle. That was his own opinion; but he doubted its applicability to head-quarters. The Quartermaster General was the adviser of the Commander-in-Chief on all questions relating to the distribution of the army; and in that officer great knowledge was required, both of the service and the officers. As to Aldershot, why was it built has been asked? Aldershot was chosen not only because the ground was exceedingly cheap, but also because it was the best strategical point that could be found, as railways ran into it from various directions. When the army went out to Varna, the Government and Lord Panmure felt it necessary to get accommodation for 200,000 militia, and huts were built for that purpose with the utmost speed. The site was selected with great care by Lord Hardinge and Lord Panmure, as the best site inland between the Bill of Portland and the North Foreland. Afterwards the Government regarded Aldershot as of still greater importance, and it was decided to build permanent barracks there; and he believed they were as good as any in the world. Doubtless they were expensive, but every convenience for the soldier was to be found there. The only question was, whether we should retain the huts built for a temporary purpose? It was well known that it was injurious to health to keep men long in the same spot, and he thought the Government might perhaps do well to take the huts down and dispose of them (provided they were found to be so much out of repair as was sometimes alleged), and that the men should, during the winter, be sent to other quarters. It is said that these huts have now become infested with rats and mice. The position of the camp also was a source of discomfort to officers, especially to those who had returned from foreign climates, and might fairly anticipate being sent to some country town, where they would be able to cultivate friendships and enjoy a little social life. As to recruiting, he had passed his life, from the age of fourteen, in the army, and he entertained great respect for the men. He believed there was less crime in the army than in any other class of people. The soldier received less corporal punishment, and had more recreation and enjoyment (except at Aldershot) than he ever had before. At any rate, the soldier was a respectable man, and ought to be spoken of with respect. He thought that the reduction of the Estimate from £4,000 to £400 for the wives and children of soldiers would require some consideration when that Vote came before the Committee. He congratulated the noble Lord upon the reduced cost of the remount of the cavalry. Formerly the charges were too high, and much beyond those of France, Austria, and Belgium. He hoped the reduction had arisen from greater economy and the better care taken of the horses—as formerly the horse did not last more than five or six years—and not from a diminution of the number. He was sorry to find that we were not to have a reserve of artillery. No doubt the noble Lord had not yet made up his mind as to which was the best gun. He thought there had been more delay than was reasonable in finding that out; and in having no guns ready with which to arm our ships he thought we were behind our proper position as a maritime country. There was said to be so little choice between the Whitworth, the Armstrong, and the Blakeley guns that he thought the Government might very well order a few of each for present use rather than be without any until they had decided which was the best gun for the service; because if war were to break out we were not in a position to arm our fortresses, batteries, and ships. He, therefore, thought we were in a very unsafe position, and he should take occasion to press that matter upon the Government at no distant period, because delays were dangerous, especially as it was now known to all the countries in the world, from the recent debate that took place in that House, that England was not provided with guns. A great many, however, believed that we were not provided with ships, but he confessed that he was not one of them. He believed that our ships would turn out efficient when the time came. They were practically good fighting ships, and would be a match for any enemy. The noble Duke at the head of the army, when he was examined before the Royal Commission, said he was not satisfied with the guns, but that he was satisfied that no other country had better guns, and he (Sir Frederic Smith) believed that to be the case at the present moment. He found that a great alteration had been made with regard to the system of obtaining gunpowder, but he hoped the Government would not place its manufacture too much in the hands of private firms. And with regard to the clothing, he trusted the Government would not bind themselves to accept in every instance the lowest tender, but select the lowest tender of such firms as are well known to supply the best materials and workmanship.

Mr. O'REILLY said, that he differed from the hon. and gallant Gentleman who spoke last as to the guns. He wished to point out to the Committee the power which this country had of manufacturing guns, not only in the Government yards, but in other works. There was not the slightest doubt that in a few months after the best gun was decided upon any quantity could be produced. It would, therefore, be perfect folly to provide themselves with any large number of guns which they might have to dispense with afterwards. He was glad to see that many valuable suggestions had been made as regarded the present system of recruiting, and the first to which he would allude was that of the right hon. Gentleman the Member for Huntingdon (General Peel), who thought that men should be enlisted for twelve years instead of for ten. If the present system worked well, nothing could be said, but he thought it did not work well, and that when a pressure came it would break down. The noble Lord appeared to think the present system of recruiting good, and its results, on the whole, satisfactory. That opinion, however, had scarcely been endorsed in the debate, and it certainly was not shared out of doors. The fact that the army was at one time no less than 4,000 under the establishment was not to be accounted for by any passing or accidental circumstances, bearing in mind that the recruiting staff were meanwhile in full employment. It was a serious fact, not to be lost sight of, and the noble Lord went a little too far when he suggested that fluctuations in the strength of the army were of comparatively little consequence as long as the maximum of cost or numbers was not exceeded. If wanting 17,000 they could only obtain 15,000, what would be the case if they required 30,000 or 40,000? The noble Lord must be acquitted of having spoken disrespectfully of the British soldier; but there was one of his statements that the evidence taken before the Royal Commission by no means bore out. The noble Marquess stated that the ordinary class of recruits, which might almost be called the sweepings of towns, afforded a very good class of soldier. Having carefully gone through the whole of the testimony, he could not find one single deposition which bore out that assertion. On the other hand, the witnesses of highest authority spoke with confidence of the superiority of the men drawn from the agricultural classes. Sir George Wetherall said—

> "I decidedly prefer him (the agricultural labourer)—he is a vastly superior man in conduct, in stature, and in everything else."

Colonel Russell, the Inspecting Field Officer of the London district said—

> "The large number of medical rejections shows, I think, very conclusively, that it is an inferior class of the population from which we attempt to recruit our army."

Lord Frederick Paulet, speaking of the Guards said—

> "I prefer agricultural recruits, they are more obedient, better behaved, and better soldiers in every way."

Mr. Godley, Assistant Under Secretary for War, regarded the present system of recruiting as objectionable upon economical and moral grounds. Major General Wesley, of the Royal Marines, entertained the same preference for agriculturists over the inhabitants of manufacturing towns; and numerous other authorities might be cited in support of the same view. It was urged that increased bounties at once stimulated increased recruiting, but the fact was otherwise, for the limited class from which recruits were drawn under the present system, namely, the idle and unemployed town population was soon exhausted, and when once this occurred it was only desertion and not recruiting which was stimulated by high pecuniary offers. Mr. Dunbar, the senior clerk to the War Department, stated that the desertions in 1859 were 11,000, and the consequent money loss no less than £22,500. In the year 1858 the desertions were 20,000, and the direct money loss thereby entailed was the substantial sum of £83,000. To obtain an increased and a more valuable supply of recruits, it was necessary to look for them among a different class—that was to say, among the militia. Major General Douglas, Inspector of Militia, stated—

> "I must say, I have seen many regiments of militia particularly in counties where I have been very much struck with the magnificent class of men in them. The very large proportion of agriculturists of which the militia is composed, shows me distinctly that the militia agency would be very useful in getting the agricultural class. The effective volunteering from the militia upon the 1st July, 1858, consisted of 61,973 men of whom 25,399 were agricultural labourers."

The plan which he (Mr. O'Reilly) had ventured to recommend in a recent debate seemed to him best suited for this purpose, that was to say, attaching to every line battalion the corresponding militia battalion in its own locality, from which, as far as possible, it should be recruited, and to which, as to a reserve army, it should return its seventeen or eighteen years' service men with a view of completing their time. He by no means put it forward as the best suggestion, nor was it one that was to be adopted in part. If it was to be adopted at all, it must be altogether. It would be seen that it consisted in three points—first, that a line battalion should have its own militia battalion attached to it; secondly, that the militia battalion should supply recruits from its own district to the line battalion; and, thirdly, that permission should be given to the men who had three years to serve in the line battalion to complete their probation by serving six years in the militia battalion. His plan had not been fully brought before the Royal Commission; but all its elements had been mentioned by witnesses of the greatest weight, and met with the highest approval. If this were a good plan, why should it not be tried? He begged to say that the Royal Commission on recruiting had neither adopted nor condemned it. The question was put to His Royal Highness the Duke of Cambridge, and he said it was a new idea, and that he did not see much objection to it. One answer given by His Royal Highness the Commander-in-Chief showed that the project was floating before his mind. His Royal Highness was asked —

> "Does your Royal Highness think that it would be possible to combine such a reserve force with the militia, perhaps not constituted as it is now, but to make that reserve force a part of the militia?—There would be a difficulty in that; because you propose to give a pension; therefore I presume that as the men are to have a pension they would have to be considered more as reserves of the line than a militia. We have now a great many old soldiers serving in the militia, and every two years' service of sergeants on the militia staff go towards counting for pension—men who have completed their sixteen years, and have to make up their twenty-one, do it exactly in the way your Royal Highness has mentioned. Then I am not aware that there would be any objection to it. It is a new idea which I have not much considered, but at the present moment I do not see any objection to it."

He ventured to hope that this idea which had been thrown out three years ago would receive more full consideration now. Sure he was that when the pressure of the recruiting system came, and it was necessary to increase the number of men on the Estimates, the difficulty of that system would be doubly felt.

Lord HOTHAM said, that he entirely concurred in the approval so generally expressed as to the manner in which the noble Marquess who represented the War Office, had performed the duty assigned to him that evening. The noble Marquess had stated that several subjects connected with the army had already been discussed, and of these the question of recruiting was one. Now, he had listened to the interesting debate upon that subject, introduced by the hon. and gallant Member for Longford (Mr. O'Reilly) with a degree of intelligence, candour, and moderation, that must have struck every one that heard him; but he thought it was distinctly stated by the noble Marquess that there were two reasons which rendered it unadvisable to discuss that Motion—first, because the subject had been so recently considered by a Royal Commission; and, secondly, because another opportunity would be afforded when they came to discuss the Army Estimates. As he had the honour of being at the head of the Royal Commission on Recruiting, he wished to know from the noble Marquess which of the recommendations of that Royal Commission had been adopted and which rejected by the Government, for the whole of their recommendations had been made with the view of rendering the system of recruiting more palatable to those who might be induced to enter the army? He would not go into the much debated question as to the merit or otherwise of the Limited Enlistment Act. He had been opposed to its introduction, and he was opposed to it still. He, in common with many others, hoped the noble Earl at the head of the War Office would give his serious attention to the Question. He certainly concurred in the general opinion that twelve years' enlistment was preferable to ten years in order to accomplish an object of the greatest value—namely, keeping our old soldiers. He cordially concurred in what had been said by the noble Marquess on the alteration of the depôt system. He never understood the policy of keeping in this country the establishment of a regiment in one place and its depôt in another. He had heard it asserted that where a regiment and the depôt were in the same town, that the commanding officer of the regiment had no more to do with the men of the depôt than if they belonged to another regiment. But it was of material consequence, when men were enlisted, that they should get as soon as possible to their regiments, to learn their system, and become acquainted with those with whom they had to pass the best part of their lives. It was only in this way that men would imbibe the *esprit de corps* which was so valuable in the army. He next wished the noble Marquess would give him some information as to what was called the Reserve Fund. What did it mean, what was its amount, what were its objects, and what was done with it? It was a military fund under the control of the Secretary of State for War, but covered with a cloud of mystery, and he dared to say there were not five Members in the House who knew what it meant. When he formerly asked for information concerning it, he was told by the noble Marquess that the account was made up to the end of the financial year, and he could not undertake to produce it before the end of April. He was at a loss to know why the Reserve Fund, which had nothing to do with the finances of the country, should not be produced and discussed with the Army Estimates. This was the fund through which commissions were bought and sold entirely at the will of the Secretary of State for War. What connection, then, would there be between it and the accounts of the Chancellor of the Exchequer? He imputed no improper conduct with regard to it, but he sometimes saw in the *Gazette* that old officers had been obliged to purchase commissions to which their services entitled them without purchase, and then he was told all this was for the purpose of the Reserve Fund. He wanted, therefore, to know something about its merits or demerits, its extent and objects. His right hon. Friend (General Peel) had referred to an arrangement, which he said was one of the shabbiest transactions he had ever heard of—namely, calling on officers many years after they received commissions to pay the stamp duty on them. He was a living witness who could speak upon this point. He did not complain of the amount, but of the manner in which the charge had been made. Five years after he received his last commission but one, he got a letter from a high official in the War Office, demanding, in a most peremptory manner, the immediate payment of the stamp duty on his commission. He had never been asked for it before that; but, from the nature of the letter, he almost anticipated that he was going to be exchequered for the nonpayment of it. He then wrote to that official, now a general officer, stating that he had not the least idea that he was indebted to Her Majesty any sum at all, and that if he would tell him to whom he was to pay the money he would lose no time in doing so. He received an answer and paid the money as directed. That was now between seventeen and eighteen months ago; and yet to this day he had never received his commission. Was that a proper mode of doing business? If a man was allowed to go five years without being called on to pay for the stamp on his commission, was it right that when the Government got the money from him on their urgent application, they should not take the trouble to send him the commission? It could not be said that they had any difficulty in knowing where to send it, because they knew well enough where to send when they wanted the money. It was neither official regularity nor the courtesy due even to the humblest ensign in the service that, after being called upon in peremptory terms to pay for the stamp, the Government would not take the trouble to send him his commission. He cordially agreed with his hon. Friend the Member for Buckingham (Sir Harry Verney), on the subject of the Royal Warrant which necessitated a change in the highest offices of the Staff of the army every five years. That was, in his opinion, a very bad arrangement. He was ready to give credit to the late Lord Herbert for having done many things for the benefit of the army, but as to the regulation in question, he (Lord Hotham) was bound to say that his late noble Friend never did anything so much calculated to impair its efficiency. It was very difficult to find an officer fit for the post of Adjutant General. This officer was, in point of fact, the Court of Appeal for the whole army. In order to enable him to perform his duties properly he ought to have had the greatest experience and the greatest amount of service in different parts of the world where British troops are stationed. If the Adjutant General was changed every five years, they would never be able to obtain a man who was so conversant as he ought to be with the important duties attached to that office. The moment he had acquired the requisite fitness for his post, he must be turned adrift, and a successor appointed who had everything to learn. Surely the wiser course would be to get as good an Adjutant General as they could, and then be slow to part with him.

Mr. WATKIN said, with regard to enlisting for the army, various plans had been suggested for its improvement, but he thought one had been overlooked—namely, to take advantage of the love of adventure which was the characteristic of the Anglo-Saxon race. There was a portion of the population which were inclined to undertake the duties of the military profession, not from want of pay, but from love of adventure; and to that class the appeal should be made, and little difficulty would be experienced in keeping up the requisite number of men. With reference to the question of guns, he thought that the War Office should first determine what projectile they desired to have, and then apply to the manufacturing enterprise of the country with a view to see how best and most cheaply the guns to discharge the projectile could be procured. If that course were adopted, he believed that ordnance on which the country could depend in time of war would be procured in a very brief space of time.

Colonel GILPIN was glad that Government intended to do away with the depôt system, which was both expensive and pernicious. He could not congratulate them for having reduced the number of men, as he considered the army to be many thousands below the requisite standard. He agreed with the hon. Member for Wexford that the system of recruiting had broken down, but he could not concur in some of the remedies which he suggested. The pay must be increased and the system of enlisting for ten years discontinued, if they desired to effect any marked improvement in recruiting for the army. He could not agree with the hon. and gallant Member for Longford (Mr. O'Reilly) that it would be a good thing to send a militia regiment and a regiment of the Line to the same county. The 14th regiment of the Line was called the Buckinghamshire, and the 16th the Bedfordshire regiment. He had had the honour of commanding the Bedfordshire Militia for some years, and during the Crimean war and the Indian mutiny his corps volunteered more than a battalion to the Line. Yet only one man out of the whole number volunteered into the 16th regiment—the regiment connected with the county. With respect to what the hon. and gallant Member (Sir Frederic Smith) had said about Aldershot, he must say he held him answerable for its construction. The contractor was paid for the best. The contract was that the huts at Aldershot should be composed of the best materials; how then did it happen, as was alleged, that the best materials were not used in their construction? It was said that a number of rats infested the huts, but before the camp was finished the rats used to come around the huts to get the droppings from the meat and bones, and were to a certain extent useful. Aldershot was a place where a large body of troops could be brought together, and for his own part he thought it most useful to the country in that respect. He believed that the establishment of the camp had been attended with good results, and he should be sorry to see the huts removed, but he considered that the men ought not to be kept in camp for so long a period as two years.

Mr. WALPOLE: My right hon. Friend the Secretary for the Colonies having adverted to the proposed gradual withdrawal of troops from New Zealand, I wish to say that, provided that colony was in a state of peace, and that all the difficulties of the unfortunate war which is now being waged there were settled, or that the colonists were in a position to defend themselves, I should be prepared to admit that the policy announced on the part of the Government was that which it was right to adopt. That policy was first suggested by the late Duke of Newcastle, and was subsequently mentioned in a despatch of the right hon. Gentleman (Mr. Cardwell). When my right hon. Friend sent out the last despatch which has been laid on the table, things in New Zealand were no doubt in a more favourable position than they had previously been, but even then they were not such as we could wish, while the accounts which we have received to-day are anything but satisfactory. Now, I should be sorry to impede the action of the Government in any course which they may deem it to be their duty to take, but we ought, I think, to know whether the withdrawal of these troops at the present time is a measure which has received the sanction of General Cameron. That is the first question which I wish to ask my right hon. Friend; and the second is whether, in the despatch which he sent out intimating it to to be the intention of the Government to withdraw five regiments at once from New Zealand, there are any conditions mentioned which would leave a discretionary power in the matter in the Governor of New Zealand, in General Cameron, or in both together, in the event of their thinking it necessary that the troops should be kept in the colony to meet any emergency that might arise.

Mr. CARDWELL: Nothing can be fairer or more reasonable than the questions which my right hon. Friend has put to me. The circumstances of the case are these:—The first despatch which called attention to the necessity of recalling our troops from New Zealand was that which was written on the 26th of April last, in which was laid down the policy which we proposed that the Government of the colony should pursue. That despatch was about contemporaneous with the termination of the first campaign of the war, while the despatch now gone may be said to be contemporaneous with the close of the second campaign. In the course of last year I felt it necessary, on the part of Her Majesty's Government, to set forth in the strongest terms that so long as an army was kept in New Zealand, so long the control of the Home Government and of the Governor—the representative of the Queen—over the troops and military operations must be maintained. To that principle we have steadily adhered. My right hon. Friend, who I have no doubt has looked at the despatches on the subject, is aware that this has led to great controversy in New Zealand; but when the Assembly met the new Ministers of the Governor accepted the principle as fair, stating, at the same time, that the principle of a divided Government was mischievous and troublesome in the colony, while they recognized the entire right of Her Majesty's Government to exercise a reasonable control so long as the war was carried on by Her Majesty's troops. They then laid it down, as the policy on which their Administration was formed, that they would make exertions for the regulation of their own internal affairs with a view to the entire withdrawal of the Queen's troops. That policy we have accepted with complete satisfaction, and we found it necessary to come to a decision as to what number of troops should be removed at the present moment. We have fixed the number at five regiments, and I have every reason to believe after the debate which took place the other night that our proposal has the approval of this House, that it meets also with the approbation of the Ministry and Assembly of New Zealand, and that it will tend to the benefit and pacification of the colony. There is not, I may add, the slightest doubt in our minds that this is the true policy to pursue, but I apprehend that in the instructions sent out my noble Friend the Secretary for War has left to General Cameron a reasonable discretion as to how he should act in the event of any unforeseen difficulty or danger arising, with regard to retaining a certain number of troops in New Zealand.

Mr. WALPOLE: My right hon. Friend has not given a very distinct answer to the questions which I put to him. I do not mean to dispute the justice of the policy to which he refers, and as to which the information just given is very precise; but what I am anxious to know is whether the withdrawal of the troops under present circumstances is to take place with the concurrence of General Cameron, and whether, the five regiments being ordered home, there are any conditions annexed to the instructions sent out which would enable the Governor of New Zealand or General Cameron, should they deem it necessary, to detain those troops in the colony.

Mr. CARDWELL: I think I have already answered both those questions. The withdrawal of the five regiments is a measure which was decided upon not by General Cameron, but by the Government at home. With regard to the tenour of the instructions of my noble Friend the Secretary for War, I can only say that I believe they are such as to leave sufficient latitude to General Cameron as to how he should act should unforeseen circumstances arise after the instructions were sent out.

The Marquess of HARTINGTON, in replying, said, he was afraid that he should not be able to answer all the questions which had been put to him in the course of the discussion, adding that some of them related to mere points of detail, and could be better explained when the particular Votes with which they were more immediately connected came on for consideration. The subjects to which the greater portion of the observations which had been made that evening was directed were recruiting and the operation of the Limited Enlistment Act; and with regard to the first he must maintain, notwithstanding the repeated contradictions with which the statement had been met, that recruiting for our army was not a failure, as was shown by the fact that we obtained this year 15,600 men with a bounty of only £1 in operation. That, he believed, was as large a number as had ever been raised with so low a bounty and in time of peace. As to the working of the Limited Enlistment Act, he need only point out that the necessity for raising a large number of recruits was owing in a great degree to the increased numbers of our army, and to the fact that additional troops were required for service in India. The number of men entitled to their discharge by the expiration of their term of service this year would be 8,612. The loss of men by deaths, desertion, and discharges for causes other than expiration of service last year amounted to 11,288. So that of 19,900 men by which it was estimated the army next year would be diminished, only 8,612, or not nearly half, would be lost in consequence of the Limited Enlistment Act. [Colonel Sykes: Including India?] Including India. It had been found that considerably more than half the men who took their discharges re-enlisted, and therefore it would be necessary to raise only about 13,500 recruits during the ensuing year, a smaller number than was obtained last year, when, according to the statement of some hon. and gallant Gentlemen, recruiting was at a standstill. Under these circumstances, he could not see that the system of recruiting had failed; or any immediate necessity for the repeal of the Limited Enlistment Act. If recruiting really came to a standstill, some other course must be taken. The bounty might be raised; and, although there were objections other than financial ones to such a measure, it must not be forgotten that in times of the greatest pressure the raising of the bounty had procured a sufficient supply of recruits. It was further said that the men whom we lost under the operation of the Limited Enlistment Act were just those whom we wanted to retain. He denied that this was the case. The men who sought their discharge at the expiration of their period of service were not generally the men whom they were most desirous to retain. The instructions to commanding officers were not to re-engage any men whose character or whose health rendered it undesirable that they should remain in the army; and, therefore, the country ought by the expiration of their term of service to get rid of men whom from any cause it was not desirable to retain in the army. At the same time, he did not deny that many of those who took their discharge were men whom it would be desirable to keep in the army, and it was possible that in the future it might be found necessary to hold out to them some inducement to remain. But at present the Government saw no necessity for increasing the pay of the men. It must not be forgotten that not only would not the offer of an extra 6*d*. a day to all men who re-enlisted obtain for the army all the men who now refused to re-engage, but that the extra pay would have to be given to the 60 per cent who now re-enlisted without it, as well as to the much smaller number, perhaps 20 per cent, whom it might induce to continue their service. He presumed that when Parliament passed the Limited Enlistment Act, it did so with its eyes open, and that when it empowered the men to claim their discharge at the end of ten years it contemplated that some of them would avail themselves of that privilege. It could not, therefore, be a reason for the repeal of the Act that a certain number of men had availed themselves of the benefits of its provisions. He had looked at the debates which took place at the time, and he saw that the Duke of Wellington, who supported the Bill, said that he would not have done so if he had thought that it would deprive the service of old soldiers, whom he described as the backbone of the army; but he never said that he desired to have an army composed entirely of old soldiers, and the effect of the Act as it worked now was that more than half the men re-enlisted, and thus considerably more than half of every regiment always were old soldiers. The hon. and gallant Gentleman the Member for Oxfordshire (Colonel North) had referred somewhat irregularly to a speech which he had made upon this subject on a previous occasion. He never intended to impute to the gallant Gentleman that he desired to impede recruiting; but he certainly understood him to say that the pay of our soldiers, not that of the re-enlisted ones only, was totally inadequate, and to speak of it as if it was a bare shilling a day, and as if there were no other advantages to be derived from entering the army; and his opinion was that if such a statement was circulated throughout the country without explanation it would be exceedingly prejudicial to recruiting. The gallant Gentleman said that his speech had given great pain to the army. If that was the case he could not take too early an opportunity of expressing his deep regret that anything should have fallen from him which had had an effect so contrary to any that he could have desired to produce. He certainly never said or intended to say that the army was composed of the "sweepings of large towns." All that he said, or could have intended to say, was that he agreed to a certain extent with the hon. and gallant Member for Longford that the bounty system, especially when the bounty was increased in times of pressure, must in the first instance sweep up recruits of a very low class from the large towns. That was a fact which could not be denied. There was nothing to prevent men of bad character enlisting; and no doubt many bad characters did get into the army. But he did not say that the army was composed of such characters. On the contrary, he said that he believed that entering the army did them good, and that often after undergoing a course of drill and discipline their characters changed, and in many instances they returned to the towns from which they had come very much improved in mind as well as in body. The hon. and gallant Gentleman the Member for Longford asked him whether the Horse Guards and the War Office were perfectly satisfied with the state of recruiting at present. The statement which he made the other night was the best proof that they did not think that the existing state of things was so good that it was not susceptible of great improvement. He then stated that most of the questions which had been brought under the notice of the House by the hon. and gallant Gentleman were at that moment the subjects of consideration by the Horse Guards and his noble Friend the Secretary of State. No doubt the War Department was not perfectly satisfied with the system of recruiting, but they did not think it necessary that another Commission should be appointed. It would be much more satisfactory if, instead of being short of 1,000 men, it had to reject them in consequence of having too many. It would be also infinitely preferable if they could get a better class of men to enlist—if they could recruit more from the country and less from the towns. The only reply he could make to the objections to the system was that it was receiving the most careful and anxious consideration at the hands of the War Department. Another subject that had apparently excited considerable attention was the appointment of Lord De Ros to a regiment while he retained his former office at the Tower. Lord De Ros obtained his appointment to the Tower before the rule came into force that prevented an officer obtaining a regiment from retaining a garrison appointment. Exactly the same case occurred with reference to Sir George Bowles, who was appointed previously to the new rule being issued, and he got his regiment and kept his appointment. He did not exactly see to what the right hon. Baronet objected—whether he did not wish Lord De Ros to keep the appointment or to get the regiment. It had been stated already that Lord De Ros was an officer who had done very good service, although, unfortunately, he had never had the opportunity of being in action. He went to Turkey during the Crimean war, and would have proceeded to the Crimea had he not been attacked by fever and laid up in consequence. The right hon. Baronet asked upon what principle the appointments to regiments were made—whether upon the principle of seniority or of service in the field. He had no hesitation in replying that they were not made exclusively upon either principle. It appeared to him reasonable that good service in the field should be the first consideration, yet it would be very hard if an officer who had not been so fortunate as to be placed in a position in which he could distinguish himself was to be deprived of the reward he was entitled to for long and useful services. To suggest the adoption of such a principle would be to inflict a monstrous injustice upon the service. Lord De Ros had been passed over very often when the claims of other officers had been superior to his own, but now the time had arrived when he was entitled to be considered. It must be recollected that the appointment to the Tower was not a military office, neither was it a sinecure, as there were many arduous duties connected with it. The hon. and gallant Member for Limerick had remarked that the proposed reduction in the Estimates related merely to the number of men, and not to the number of officers. That hon. and gallant Member should have recollected that the reduction was not made in the number of battalions but only in the men, and that unless the number of battalions were reduced it was impossible to reduce that of the officers. And, besides this, to reduce the number of officers would be to radically weaken the army, as the ranks could easily be filled up in case of necessity, whereas officers could not be found in an emergency ready to their hands. In reply to the hon. Member for Limerick, he must remind him that as the reduction of a man only saved the country between £40 and £50, the reduction of 4,000 men could not account for the saving of £400,000. As regarded the Beloochees, no doubt they would return to India as soon as they received the order. The hon. and gallant Member for Aberdeen (Colonel Sykes) asked whether the Indian troops had received orders to return, to which he replied that such orders had been sent out six weeks since. Another subject referred to was that of the change of the Adjutant General and Quartermaster General, in accordance with the existing rule every five years. It appeared to him there would be some difficulty in excepting those officers from the rule by which the inferior officers of that Department were governed, but he was sure, after the very general expression of the opinion of the House upon the point, the Commander-in-Chief and the Secretary of State would take the matter into consideration. The only other subject he had to allude to was that of the stamp duties upon commissions. There had been good reason for delay in this matter, as was well known to many hon. Gentlemen. That reason was one they would not desire to discuss, affecting as it did an illustrious personage. The right hon. and gallant Member for Huntingdon (General Peel) would, if present, bear him him out in this. It was quite true that owing to an accumulation of arrears there had been considerable delay in the issuing of commissions; but this was a grievance which would be felt no longer. The stamp duty did not come into the hands of the War Department, but the law required that it should be paid before a commission could be prepared or issued. He was not, however, aware that any case had occurred in which an officer had not received his commission after he had paid the stamp duty. He could not understand how such an occurrence could have taken place. The noble Lord (Lord Hotham) had asked him which of the recommendations of the Recruiting Commission had been adopted by the Government, and which had been rejected. He held in his hand the statement of those recommendations; as, however, they amounted to 39 in number, he could not think of detaining the Committee by going through them; but no doubt the noble Lord, as Chairman of the Commission, knew the recommendations to which the Commissioners attached the greatest weight; and if he pointed them out he should be most happy to give him every information respecting them.

Lord HOTHAM said, he wished to inquire whether the noble Marquess would let him see in private the paper containing the observations of the Department on these recommendations.

The Marquess of HARTINGTON: Certainly.

Colonel NORTH observed, that if the

noble Marquess had said that the army was recruited from the sweepings of the large towns every gallant Officer of experience would have concurred with him; but the noble Marquess had gone further, and said that as they had got so good an article from the sweepings of towns he was not sure that they should desire to have the army composed of a superior material. He was sure the noble Marquess had made that statement inadvertently, and he was glad he had given him an opportunity of explaining it, for there was no one more ready than he to do justice to the zeal and ability with which he (the Marquess of Hartington) performed the duties of his office, and to his courtesy towards the Members of that House on all occasions. He only hoped that as long as the present Government remained in power the noble Marquess might hold his present appointment, and he was sure the more he knew of the British soldier the more he would appreciate that soldier's good qualities.

Motion *agreed to.*

Resolved, (1.) "That 142,477 Land Forces (including 9,109, all ranks, to be employed with the Depôts in the United Kingdom of Great Britain and Ireland of Regiments serving in Her Majesty's Indian Possessions.)"

Resolved, (2.) "That 178 Native Indian Troops (belonging to Her Majesty's Native Indian Army, to be maintained beyond the limits of Her Majesty's Indian Possessions.)"

The Marquess of HARTINGTON said, he hoped that the Committee would now allow him to take the Vote for troops, amounting to £5,434,567, reserving further discussion for other items.

Motion made, and Question proposed,

"That a sum, not exceeding £5,434,567, be granted to Her Majesty, to defray the Charge of the General Staff, and Regimental Pay, Allowances, and Charges of Her Majesty's Land Forces at Home and Abroad, exclusive of India, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive."

Sir JOHN TRELAWNY asked, whether this item included the pay of the Major General attached to the Foot Guards.

The Marquess of HARTINGTON said, that it did.

Sir JOHN TRELAWNY, under these circumstances, must move the reduction of the Vote by a sum of £691 19*s.* 7*d.*, the amount paid to that officer. The Inspector General of Infantry had been superseded altogether. The existence of an Inspector General of the Brigade of Guards was nothing more than an abuse, and yet it was retained. It was believed that the office had been created to reward an old soldier. He begged to move the reduction of the Vote by the amount he had mentioned.

Whereupon Motion made, and Question, proposed,

"That the Item of £691 19*s.* 7*d.*, for the Major General attached to the Foot Guards, be omitted from the proposed vote."—(*Sir John Trelawny.*)

Sir HARRY VERNEY remarked, that if the Inspector General of the Brigade of Guards had not as much duty as he could perform the troops at Colchester might be placed under him.

The Marquess of HARTINGTON said, that the appointment of a Major General to inspect the Guards had frequently been discussed in that House, and the decision come to had been in favour of continuing the appointment. Good reason had been shown for abolishing the appointment of Inspector General of Infantry; but much inconvenience had been felt before the appointment of a Major General to inspect the Foot Guards.

Mr. DAWSON-DAMER said, that the Brigade of Guards was really a division, consisting of seven battalions; and considering that a division of the army in the field comprised only six, it was only common sense that the so-called brigade should be under the command of a General.

Colonel DUNNE remarked, that hon. Gentlemen who were in favour of the maintenance of this office appeared to forget that there were three colonels to inspect the battalions of Foot Guards. He thought the Chairman ought to be directed to report Progress.

Colonel NORTH was of opinion that a Lieutenant General instead of a Major General ought to have been appointed as Inspector General of the Foot Guards. In any other army this would have been the case.

Colonel GILPIN observed, that the line was commanded by general officers. The abolition of the office of Inspector General of Infantry had reference solely to depôt battalions.

Sir JOHN TRELAWNY said, that no good reason had been shown for the maintenance of this office.

Question put:—The Committee *divided*:—Ayes 27; Noes 47: Majority 20.

Colonel DUNNE moved that the Chairman report progress.

Viscount PALMERSTON said, that though the majority of the House was clearly in favour of going on, yet, as there appeared to be several hon. Gentlemen among the minority who had still observations to make on this Vote, perhaps it would be better to report Progress. The Army Estimates, however, would be taken to-morrow, as the money was wanted.

To report Progress, and ask leave to sit again.

Resolutions to be reported *To-morrow.*

Committee also report Progress ; to sit again *To-morrow.*

COLONIAL NAVAL DEFENCE BILL.
[Bill 51.] COMMITTEE.

Bill *considered* in Committee.

Mr. ADDERLEY expressed his approval of the Bill, which he believed to be the best measure relating to the colonies that had been passed during his Parliamentary experience. The old system of governing the colonies from Downing Street had passed away and a new system had been introduced, which had left the colonies a burden and embarrassment upon the mother country and a source of danger and weakness in time of war. The recent example of the Canadian volunteers showed how excellent a feeling pervaded our colonies, and it was surprising that it should be only now that a Bill should be proposed to give power to the colonies to provide vessels of war, weapons, and volunteers for their own defence. He thought the Bill was one which reflected the highest credit upon the Secretary for the Colonies, and he had no doubt it would prove most beneficial both to this country and to the colonies.

Mr. MARSH, as a colonist, also expressed his thanks to the right hon. Gentleman for this most valuable measure. He expressed an opinion that the defence of the colonies must depend mainly upon the navy, especially by vessels capable of running into shallow water—such vessels as could well be manned by volunteers.

Mr. CAVE said, on Clause 6, that the idea of colonies furnishing ships to the mother country might seem extravagant, but that during the old French war in the time of Louis XVI., the island of Barbadoes placed a frigate at the disposal of the Crown, and the same example might be followed, if needful, hereafter, by the great and rich colonies we now possessed in other parts of the world.

Colonel Dunne

Mr. CARDWELL acknowledged the expressions of approval with which this Bill had been received. The object of the measure was to extend to the colonies the benefits of the Royal Naval Reserve, and to enable them to place ships at the disposal of the Crown. It would, he hoped, be the foundation of a naval force maintained by the energy and at the expense of the colonies, constituting a most valuable addition to the Imperial defences.

Bill *reported,* without Amendment.

House adjourned at One o'clock.

HOUSE OF LORDS,

Friday, March 17, 1865.

MINUTES.]—Public Bills—*First Reading*—Perth Provisional Order Confirmation * (38).
Committee—Industrial Exhibitions * (28).
Report—Industrial Exhibitions * (28).

Their Lordships met; and having gone through the Business on the Paper, without Debate,

House adjourned at a quarter past
Five o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, March 17, 1865.

MINUTES.] — Select Committee — On Taxation of Ireland *nominated.*
Supply—*considered in Committee*—Committee—R.P.
Resolutions [March 16.] *reported.*
Public Bills—*Resolutions in Committee*—Chemists and Druggists.*
Ordered—Mutiny * ; East India (Governor General's Powers, &c.) * ; East India High Courts * ; Chemists and Druggists.*
First Reading—East India (Governor General's Powers, &c.) * [76] ; East India High Courts * [77] ; Chemists and Druggists * [78] ; Mutiny.
Second Reading—Union Officers (Ireland) Superannuation * [53].
Committee — Bank Notes Issue * [12] ; Consolidated Fund (£175,650).*
Report—Bank Notes Issue * [12] ; Consolidated Fund (£175,650).*
Considered as amended—Qualification for Offices Abolition * [62].
Third Reading—Colonial Naval Defence * [51] ; Metropolitan Main Drainage Extension * [73], and *passed.*

ADMINISTRATION OF JUSTICE IN IRELAND.—QUESTION.

COLONEL GREVILLE said, as the question which he wished to put was one of considerable importance, and it would be necessary to refer to certain statements made by the right hon. Baronet the Chief Secretary for Ireland in reply to an hon. Member last night, he would, with the permission of the House, make a few remarks by way of introduction, and to put himself in order, he should conclude by moving the adjournment of the House. It appeared that at the County of Down Assizes certain persons were charged with having been engaged in a riot. The riot had taken place between Protestants and Roma Catholics, and the men of one party only had been made amenable to justice. The statement given in *The Times* was that—

> "One of the witnesses, who said that his son had been beaten and struck with a stone, was asked why he did not tell the magistrates at the time, to which he answered, 'I did; but the magistrates don't want to hear any but one side of the case.' On this the Judge remarked, 'It is very like it, upon my word.' The jury acquitted the prisoners. In his charge his Lordship said, 'They had now heard the whole case, and he must say that he was very much disgusted with the way in which justice was administered in the county of Down. Both parties should have been arrested, and there should have been an investigation. Certainly, those who used guns should have been found out and put upon their trial. The charge against the men in the dock was that they were guilty of illegal assembly and were present as rioters. He was only sorry that he had not enough of both parties before him—the ringleaders, and if the jury would only do their duty and find a whole lot of both sides guilty he would then know how to deal with them. . . . He would only say that he should take the earliest opportunity of informing the Government of this case and asking for an inquiry. As far as he could gather from the evidence it was a gross perversion of duty on the part of those who sent the traversers for trial. If they expected to have peace in the county when matters were conducted in this way it was utterly impossible.'"

He (Colonel Greville) had given notice of the question which he was about to put on Tuesday last, but in the meanwhile notice was given of a similar question by an hon. Gentleman opposite (Mr. Darby Griffith), and in reply to the hon. Member, the right hon. Baronet stated that—

> "Chief Justice Monahan had not yet submitted any Report to the Government on the subject. The hon. Gentleman had anticipated the question which was to be put to-morrow by the hon. and gallant Member for Longford, and he hoped on that occasion to be able to give information which he was unable to do at present."—[3 *Hansard*, clxxvii. 1740.]

If that had been all, he should not have made a single remark upon the subject, but the right hon. Baronet went on to say—

> "He did not think, therefore, that Chief Justice Monahan was justified in saying that there had been in that case a partial administration of justice."—[*Ibid.*]

So that the right hon. Gentleman had characterized the remarks of the Judge as unjustifiable. Now, it certainly appeared to him (Colonel Greville) that it was a very strong proceeding for a Minister in that House, without waiting until the Judge had made his Report, or hearing what he had to say upon the subject, to have characterized the remarks of the Judge as unjustifiable. That House did not like to condemn any man unheard, and what, therefore, would they say to this proceeding of the right hon. Baronet when they took into account that the Chief Justice had no power of defending himself in that House; that he had made no Report, and that the Government had no information upon the subject. It appeared rather a strong measure for a Minister to make such remarks upon one of the most able, impartial, and distinguished Judges on the Bench. He would now beg to ask the Chief Secretary for Ireland, Whether the attention of the Government has been called to the statements made at the late Assizes for the County Down by the Chief Justice relative to the administration of justice in that county, and what steps the Government have taken with reference thereto?

SIR JAMES FERGUSSON said, he would beg to second the Motion for adjournment, but he must be permitted to observe that on a night like this when Supply was on the paper, and hon. Members had, therefore, an opportunity of calling attention to questions in which they felt an interest, his hon. and gallant Friend had departed from the usual course. Instead of simply asking a question, his hon. and gallant Friend had anticipated the proper time for bringing on this subject by moving the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Colonel Greville.*)

SIR ROBERT PEEL: Sir, what I stated last night—and the House, I feel certain, will confirm me in the statement—was that I had that morning seen the High Sheriff of the county, who informed me that when this case came before the Petty Sessions there were upon the Bench two

Roman Catholic, two Protestant, and two Presbyterian magistrates, and that they unanimously decided that there was no case as against the Protestants, but that there was a case as against the Roman Catholics. The Roman Catholics were accordingly tried before Chief Justice Monahan, and were acquitted. I stated that the Government had received no information from the Chief Justice, and I believe up to this moment he has made no Report. I founded the remarks which I made upon the observations of the Chief Justice, for whom I entertain the highest Respect, upon the information which I had received from the High Sheriff of the county, and upon his assertion. I do not know whether I may be now allowed to answer a question put to me last evening by the hon. Member for the King's County (Mr. Hennessy) with reference to the case of an Irish gentleman who has been subjected to a very severe punishment for "coshering." The facts of the case are these:—There is an Act of Parliament in force in Ireland bearing specially upon these cases—it is the 6 *Anne* c. 11—and it provides—

> "For the more effectual suppressing Tories and Rapparees, and for preventing persons becoming Tories, or resorting to them."

This Act, passed in the 6th year of Queen Anne—Queen Anne must have been a very liberal person—went on to say—

> "All loose, idle vagrants, and such as pretend to be Irish gentlemen and will not work, nor betake themselves to any honest trade or livelihood, but wander about demanding victuals, and coshering from house to house among their fosterers, followers, and others, shall, upon the presentment of the grand jury, be sent to trial."

Now, it so happened that in the county of Kilkenny there was a Tory or Rapparee, who had no occupation, and was always meddling with respectable persons who were better provided for. This man was levying black mail throughout the country, and it was thought necessary to prosecute him. The grand jury presented him, and the man was tried before Baron Hughes and found guilty of this conduct. He was sentenced to penal servitude for a great number of years unless he could find security for his future good behaviour. The Judge had no alternative whatever but to put the Act of Parliament in force, and I am informed by many respectable persons in Ireland that they think it a very good Act, and that the conviction of this person gave infinite satisfaction to a vast number of persons who were not Tories. In consequence of the remarks made by my hon. and learned Friend, I have sent for a Copy of the Information and the Indictment, and I am not aware that any other step can be taken. The Act of Parliament is not repealed, and of course the Judge having no alternative but to follow the Act of Parliament, did commit this man for a term of seven years unless he found two sureties, I think, to the amount of £10.

Mr. HENNESSY said, that the House had no doubt been very much amused by the statement of the Chief Secretary for Ireland; but he ventured to think that it was the duty of the right hon. Baronet to inform the House that if the Act was such as he described it, it ought to be repealed. The man was begging from house to house.

Sir ROBERT PEEL: Pardon me; he was not begging from house to house, but was levying black mail on the inhabitants of the district, and forcing them to supply him with victuals.

Mr. HENNESSY: That was evidently out of the question. The man was convicted as a vagrant, and sentenced to seven years' penal servitude. The people of Ireland were aware that there were different laws for the treatment of the poor in their country and in England, and they would find with surprise that the right hon. Baronet, in alluding to a transaction of that description, had not thought proper to express any condemnation of the law, but had merely made it the subject of a joke. In the absence of any intimation of the intentions of the Government upon that subject, he wished to give notice that he would move for leave to bring in a Bill to repeal the Act in question.

Mr. SCULLY: I beg to say a few words in reference to the speech of the Chief Secretary for Ireland—for whom, everyone knows, I entertain the greatest possible respect. But I think he treated this question of the hon. and gallant Member for Longford (Colonel Greville) with less than the respect it was entitled to, because he gave it the go-by altogether. In the statement which he made last night the right hon. Baronet actually snubbed the Chief Justice of the Common Pleas. Now, I venture to say that he has come across a very ugly customer when he attempts to snub that learned Judge. And I further venture to say that the Chief Justice did not make the statement which he is reported to have made without knowing why he made it; and I think that if the Chief Secretary for Ireland knew his duty he would convict some of the Gentlemen who sit on the Benches near him of being Tories who will not work. They will do nothing for us, and politically they are "cosherers," and "gentlemen who won't work." Therefore, the right hon. Baronet need not go to Ireland to look for cosherers and Tories; he has them by his side. They get there by some pretence or other, and when they succeed in doing that they will not work. So that, politically speaking, every one of them is a Tory and a rapparee. The only one of them that does anything for his living is the Chancellor of the Exchequer.

MR. BAILLIE COCHRANE rose to order. He wished to know whether the hon. and gallant Member for Longford, in putting his question, was justified in moving the adjournment of the House?

MR. SPEAKER said, that the House had reserved to its Members the right of moving the adjournment.

MR. SCULLY: I quite agree with the hon. Gentleman that the practice is irregular; but the fact is power is so irregularly exercised here that we are shut out on ordinary occasions, and have irregularly to avail ourselves of irregular Motions made by irregular Gentlemen like the hon. and gallant Member. I have only to repeat that as coshering and doing nothing is an irregular offence, the political Tories and rapparees who occupy the Government Benches ought to be tried and convicted for that crime.

MR. DARBY GRIFFITH said, he wished to explain that when he had given notice of the question he had put yesterday he had not been aware that a similar notice had previously been given by the hon. and gallant Member for Longford. If he had been aware of the fact he certainly should not have anticipated the hon. and gallant Gentleman.

MR. HADFIELD said, he believed it was time that there should be a Committee to revise all those old Acts of Parliament.

Motion, by leave, *withdrawn.*

PATENT AND CLOSE ROLLS OF IRELAND.—QUESTION.

MR. LONGFIELD said, he wished to ask the Secretary of the Treasury, If Mr. Morrin has been empowered, in accordance with the recommendations of the Report of Messrs. Brewer and Hardy, to continue the publication of the Patent and Close Rolls of Ireland up to and including those of the reign of James the First?

MR. PEEL said, in reply, that Mr. Hardy and Mr. Brewer, after making a full inquiry, had recommended that Mr. Morrin should be allowed to continue his publications down to the reign of Charles the First, and that as regarded the volumes he had already published, he should prepare a table of errors and also an index. Both these recommendations were adopted by the Treasury, and Mr. Morrin was at present engaged in preparing the table of errors and the index. But he requested that he should not be required to bring these records down to a lower period than the reign of Charles the First.

GARDENS IN HYDE PARK.

QUESTION.

MR. BLACKBURN said, he would beg to ask the First Commissioner of Works, Whether the part of Hyde Park behind Apsley House, shut off from the rest of the Park, and used as a garden, is leased, or may at once be opened for the use of the public?

MR. COWPER replied, that the inclosure in question was not a part of the Park, and had not been made the subject of any lease or agreement. The persons residing in the neighbourhood were allowed to use the garden on the payment of an annual sum of three guineas, which went to the maintenance of the garden. But no engagement was entered into with them beyond the year for which their subscription was paid.

ARMY—THE WAR OFFICE.

QUESTION.

SIR STAFFORD NORTHCOTE said, he wished to ask the Under Secretary of State for War, Whether he will lay upon the table the Report of the Committee which has been inquiring into the organization of the War Office?

THE MARQUESS OF HARTINGTON replied, that the final Report of the Committee on the Organization of the War Office was not yet brought in, but he hoped to be able to lay on the table of the House all the Reports in the course of next week.

INDIA—AFFAIRS OF OUDE.

QUESTION.

LORD STANLEY said, he would beg to ask the Secretary of State for India, Whether he is prepared to lay on the table, together with the papers relating to Oude affairs, any opinion which may have been recorded by Members of the Council of India?

Sir CHARLES WOOD, in reply, said, he would do so when he made his financial statement.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

POLAND.—RESOLUTION.

Mr. HENNESSY rose to move the Resolution of which he had given notice—

> "Whereas the Russian Government shows its determination to set at nought the engagements it contracted in 1815 respecting Poland: Whereas the respect of those engagements was the condition on which the Powers of Europe consented to recognize as lawful the possession by the Russian Tsar of the greatest part of ancient Poland. This House cannot any longer abstain from proclaiming that the violation of those engagements implies the forfeiture by the Tsar of all right to such dominion, and also of all right to any further payment by this country of the annual sum conceded to Russia under the name of the Russo-Dutch Loan, that payment having been, in 1815, undertaken to be made during the space of one-hundred years, in consideration of Russia faithfully co-operating in the maintenance of the stipulations of the same Treaty of 1815."

The hon. Member said, that when some years before the recent war in Poland he took the liberty of asking the attention of the House to the conduct of the Russian Government, the noble Earl, now the Secretary of State for Foreign Affairs, then Lord John Russell, stated that the subject was one to which it was desirable that attention should be called. Since then events of great importance had occurred in Poland—events so instructive that he thought it expedient that an early opportunity should be taken of reviewing what had happened, so that the House might understand the position in which this country was placed with regard to our engagements on behalf of Poland. Poland was a subject of interest to three classes of people—first of all, to the Poles themselves, and next, to a large class of intelligent persons who entertained what was called a sympathy for Poland. He did not represent either of those two classes. But the Polish question was of interest to a third class, to which all who heard him belonged — namely, to the subjects of a Sovereign bound by treaty engagements with Russia which implicated the future position of Poland. The Sovereign of England was bound by solemn engagements which, so far from being cancelled, had over and over again, and especially in the last Session of Parliament, been reiterated by the noble Viscount at the head of the Government. Those engagements involved the honour and character of this country, and it was therefore desirable to ascertain from the Government and the House what their present opinion was with regard to them. The engagements to which he referred were mainly those which constituted the first fourteen Articles of the Treaty of Vienna. That treaty was the most important instrument to which England was a party. Its first fourteen Articles all related to Poland, and constituted the main class of engagements affecting that country with which England was concerned. But in 1832 England entered into a convention with Russia in which reference was made to those negotiations, and that convention regulated a certain money payment which was made every year to Russia by this country. The question now arose whether that money payment had any connection, and, if so, what connection, with the engagements contracted by Russia in 1815. He alluded to those payments, an account of which had been put into the hands of every hon. Member a few weeks ago, called Payments on account of the Russo-Dutch Loan, amounting on an average to the sum of about £70,000 per annum, and which began in 1815. It was arranged by Lord Castlereagh, to use his own words, as a security for the due observance of the other engagements of Russia, that these payments should run over a period of 100 years. They were, then, to be continued till 1915. That was a very remarkable system of payments. It was, as far as he was aware, unparalleled; and Lord Castlereagh advised it for the distinct purpose of having security for the fulfilment by Russia of the other engagements into which she had entered. Undoubtedly, when England first agreed to pay the Russo-Dutch Loan, it was upon another condition connected with the stipulations of the Treaty of Vienna. That condition was that Holland and Belgium should not be separated. But in 1830, when a separation of those two countries took place, a new convention was proposed by Russia; and in proposing it she suggested in a despatch to the noble Viscount, then at the head of our Foreign Office, the reasons on which it should be based. In that despatch, dated the 2nd of January, 1831, the Russian Minister wrote—

> "Russia, Great Britain, Austria, and Prussia, the Allied Powers, who were parties to the Treaty of Chaumont, in consideration, therefore, not of the union of the Belgian provinces to Holland, but of arrangements concluded among themselves, renounced all claims to the repayment of the expenses incurred in the deliverance of the said provinces in favour of one of these Powers exclusively — namely, of Russia. . . . Now, what were the arrangements between the Powers who were parties to the Treaty of Chaumont, at the period at which the Convention of the 19th of May, 1815, was concluded at London? They were the general arrangements of the Congress of Vienna, which had just then terminated. In consideration of the facilities which Russia afforded to these arrangements, her allies ceded to her all the pecuniary pretensions to which the deliverance of the Belgian provinces had given rise. It necessarily followed that these facilities were real and important, as they were made the gound of her liberation from a considerable debt. . . . The divers arrangements of the Congress of Vienna, by which Russia acquired the pretensions above-mentioned, remain in all their force, notwithstanding the present position of Belgium. Upon what ground, then, could Russia be deprived of the compensation at which these arrangements have been valued to her?"

Such were the grounds laid by Russia for the new convention. There were two lines in the preamble of the convention as laid on the table of the House in 1831 which carried out the views of Russia, and which were to the effect that the convention between England and Russia was made "in consideration of the general arrangements of the Congress of Vienna, to which she had given her adherence, arrangements which remained in full force." Now, the question was, were these arrangements in full force? That was the point for the House to decide. In 1831 the House was told of that convention; but the House was then under the impression that the British Government were of opinion that the Treaty of Vienna had been faithfully kept by Russia. The question now was, had the general arrangements of the treaty been violated in any material point by Russia? To that question he briefly invited attention. He would quote a few words from an eminent authority now on the Treasury Bench, the noble Viscount, who speaking a year or two ago in that House, thus expressed his opinion as to the conduct of Russia with respect to the Treaty of Vienna. The noble Viscount, on the 2nd July, 1861, said—

> "The course which the Government of Russia adopted towards Poland was a complete and decided violation of the Treaties of Vienna. The stipulations of the Treaties of Vienna were broken almost as soon as concluded. . . . I will take the liberty of saying that perhaps the greatest violation of a treaty that has ever taken place in the history of the world was that which occurred in the case of Poland." —[3 *Hansard*, clxiv. 232-3-4.]

He (Mr. Hennessy) would not add a word to that. It proved that Russia had violated the treaty upon the admission of the British Government. Now came the question as to the course of the Government with regard to the Russo-Dutch Loan. Russia herself acknowledged that she was bound by the treaty, and the British Government stated that she had violated it. Fifty years had passed during which this country had been paying this loan; half a century more remained for it to run; and were the Government to continue the payments in spite of their own declarations that the consideration on which they were made had been rendered null and void by the other party to the transaction? In addition to the engagements we had contracted with Russia, there were other grounds rendering the Polish question one worthy of discussion by the House. It was a question which had always affected, and which would in future affect, very closely the alliance between England and France. It also touched very nearly the general tranquillity of Europe. How did it affect our alliance with France? The French people entertained — and in that respect they resembled the people of this country —a unanimous feeling in favour of Poland; and the French Government, like the British Government, were likewise bound by a treaty which united them to the future interests of Poland. In 1831, when the Poles were up in arms, the French Government asked the British Government to join with them in an intervention on behalf of Poland. The British Government refused. Again, at the time of the Crimean war, the Emperor Napoleon asked the British Government to make the independence of Poland one of the conditions on which peace was to be concluded with Russia. And there he could not avoid remarking that, when he mentioned that fact in the House, it was denied for some years on the Treasury Bench; and when last year, in reiterating it, he was able to read to the House the actual despatches sent by the French Minister to the British Government during the Crimean war, and while peace was impending, he was then told from the Treasury Bench that they were only French despatches which had passed, but that the Government had no English despatches. But there was a despatch from Lord Cowley to the British Government, in which he stated that the French Emperor was about to make a most important proposition—namely, that peace should not be concluded except on the foundation of the independence of Poland. That despatch was on the table. The Government again declined to join with France. When the Polish insurrection commenced in 1863—an insurrection owing not to any foreign action whatever, but to the conduct of Russia herself—the Governments of England and France discountenanced it in every way in their power; but after it had continued for a short time, the noble Lord at the head of the Foreign Office proposed to the Government of France that they should interfere on the Polish question. The Government of the Emperor replied that they were willing to do so provided that England and France should act in concert, and that whatever notes should be addressed to Russia should be concerted notes. Austria joined us, and during the greater part of 1863 this diplomatic action took place. The moment at length came when the suggestions of Earl Russell, growing into demands, having been flatly refused by Russia, England had to determine, on the request of France, whether she should act on the letter of her engagements and enforce on Russia what she called her rights. England refused to do so. He would utter no opinion on the policy of England beyond this—if, as Earl Russell and the noble Viscount over and over again said, England has any right to interfere on this question, was it, he asked, a right that enabled her merely to speak? What attached to a right? No one had a right without a corresponding obligation; and if England had a right on the Polish question, England had also a corresponding obligation. What that was it would be for the noble Viscount to say. This he would repeat, that no friend of Poland in this country had ever asked the noble Viscount to go to war for Poland; he disclaimed having ever done so; and if he found fault with the diplomatic action of England, it was because he believed that the British Government had it in its power, acting with France, to save Poland without going to war. But the diplomatic history of our relations with Poland presented one feature which he regarded as most satisfactory. During the recess the Foreign Minister, Earl Russell, speaking in Scotland, addressed himself to the Polish question and declared that, owing to the non-fulfilment of the Treaty of Vienna, Russia had forfeited her right of dominion in Poland. Subsequently the noble Lord put that declaration in a despatch which was sent to St. Petersburg. It was communicated also to the French Government. For some reason, which the House would probably understand, Earl Russell thought fit to recall that despatch, and the last sentence containing the declaration of forfeiture was struck out. However, the historial fact remained that Earl Russell made that declaration in Scotland and put it in a despatch, which was communicated to the Cabinet, approved by them, sanctioned by the Crown, and sent from England to Russia. Whether it was creditable to Earl Russell and the Cabinet that that declaration should have been withdrawn in consequence of a threat by M. Bismarck and Prince Gortschakoff he would not say. But not only was that solemn declaration made by the Foreign Minister in a speech and diplomatic note, it was also made in another speech. The noble Viscount in his place last year, referring to the fact, said—

> "If the hon. Gentleman (Mr. Hennessy) asks me whether in my opinion Russia has, in point of fact, not forfeited the right which by the Treaty of Vienna she obtained to Poland, because she has not fulfilled the corresponding engagements imposed on her by that treaty, I should be very much disposed to agree with him; but I say it would be undignified for this House formally to pronounce an opinion unless this House was prepared to follow it up by an Address to the Crown to give effect to the declaration which they had made."—[3 *Hansard*, clxxv. 653.]

If anything should occur to disturb the tranquillity of Europe, and lead to the restoration of Poland, these declarations of the noble Earl and the noble Viscount would be remembered as historical facts of vital importance. What Lord Castlereagh said in 1815 had been shown to be true—that this was a question of the utmost importance to all who took an interest in the affairs of Europe. Did any one believe that Russia had succeeded in settling the Polish question? What was the present position of Poland? Russia was now pursuing in Poland precisely the same policy she pursued in 1831. After the insurrection of that year had been put down, the noble Viscount described the conduct of Russia as exactly that she was now pursuing. There was the transportation week after week of hundreds of families to Siberia, and the confiscation of all property belonging to every man who took an interest in the independence of his country. Not only did the Emperor Nicholas convey week by week whole families to Siberia, and confiscate the property of the Polish landowners, but he went the length of issuing ukases by which the male children in Warsaw were transferred to Russia to be brought up as Russians and speak only the Russian language. Well, what took place in 1863? Those children, now grown to manhood, though speaking the Russian language, joined the insurrection the moment it commenced. That fact, and numerous others of a similar character, ought to teach Russia the impossibility of extinguishing the Polish nation. If Poland was thus of interest to us by our treaty engagements—if these engagements had not been fulfilled by Russia—if we as a contracting party had not enforced the treaty engagements, the question not only concerned most intimately our honour and character, but also the tranquillity of Europe. From what they all knew of the people of Poland, of the public opinion in Europe, and the whole civilized world, there could be no doubt that if any change occurred in Europe—and changes might occur any day—in the event, for instance, of a war between Austria and Russia—the first consequence would be an independent Poland. Suppose war took place between France and Prussia, or France and Austria, not confined to Italy—such a war as was possible last year—what would happen to Poland? If the conduct of the British Government in the case of Denmark had led, as at one time it very nearly led, to a European war, what would have been the consequence to Poland? The fact was, such was the position of Poland that any great war in Europe would be to Poland a deliverance. Poland was certainly under the weight of three great Powers; but being a partition between them, any great war occurring among them would doubtless lead to the independence of Poland. In bringing this subject under the notice of the House, he desired not only to vindicate the course he had himself pursued, but to read a few words—and with these he would conclude—from a speech of one of the most experienced statesmen the country had seen for many years, one who was an eminent authority on public law, who was for many years Lord Chancellor of England, a Member of the Conservative Cabinet of Sir Robert Peel, and one of the chief Conservative advisers of Lord Derby—he meant the late Lord Lyndhurst. No one could accuse him of being a revolutionist; and when bringing forward this question, he believed in the last speech he ever made, he said—

> "I am not speaking as the representative of any party. I am speaking my own opinion, and I am sure, in speaking that opinion, I am speaking the opinion of every wise and temperate man in this country and on the continent of Europe. I feel that it is a duty that every person who is placed in a position where his voice can be heard, should raise his voice in denouncing injustice, tyranny, and oppression. To commit injustice is a crime; to treat it with silence is to participate in the criminality; and that must be my justification for the course I have taken."—[3 *Hansard*, cxliii. 637.]

Following Lord Lyndhurst at a very humble distance in defence of Poland, he (Mr. Hennessy) had taken that opportunity of entering his protest on behalf of the Polish people. The hon. and learned Member concluded by moving the Resolution.

SIR HARRY VERNEY rose to second the Motion, and said he would repeat what he had often said in that House, that the Polish struggle was one of the darkest pages in the history of the world. Posterity would look back with shame upon this generation, because we had not marched from all parts of Europe eastward to prevent the consummation of the greatest modern crime which had been committed among civilized nations. It was a crime which had not only brought misfortune on all those countries which had participated in the spoils, but evil to the whole of Europe, and until Poland was restored and justice done to that gallant and noble nation there would be no hope of permanent peace and tranquillity in any European State. There would still be a body of men in Poland who would seize the first opportunity of any disturbance in Europe, and naturally endeavour to gain back that country which they had lost by spoliation. It was impossible to forget, when speaking of Poland, that Russia had followed a similar course with reference to Circassia. She had seized the inhabitants and landed them on the shores of Turkey, and introduced Russians in their place. In every direction Russia had proved herself an aggressive Power; but he believed the day would come when Russia herself would feel the consequence of her recent and present course of action, and when every Russian would feel it a matter of grief and misfortune to his country that such wrongs had been inflicted by her upon the Polish people.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "Whereas the Russian Government shows its determination to set at nought the engagements it contracted in 1815 respecting Poland :

"Whereas the respect of those engagements was the condition on which the Powers of Europe consented to recognize as lawful the possession by the Russian Tsar of the greatest part of ancient Poland :

"This House cannot any longer abstain from proclaiming that the violation of those engagements implies the forfeiture by the Tsar of all right to such dominion, and also of all right to any further payment by this country of the annual sum conceded to Russia under the name of Russo-Dutch Loan, that payment having been, in 1815, undertaken to be paid during the space of one hundred years in consideration of Russia faithfully co-operating in the maintenance of the stipulations of the same Treaty of 1815,"—(*Mr. Hennessy,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. CAVE regretted that the question of Poland was again brought forward for discussion in the House, and he should be still more sorry if such a Motion as this were carried. He remembered being in Italy in 1852, when an English, or rather Irish traveller, a Mr. Mather, was wounded in Florence by an Austrian officer. The affair caused a considerable sensation at the time, and the British Consul at Leghorn said to him (Mr. Cave), "I hope they won't ask for money; the impression is so general on the continent that any insult or injury to an Englishman may be atoned for by money." In that case they did ask for money and got it, though not quite so much as they demanded. He was sure the hon. Member's Motion was not meant in that sense, but that he wanted to punish Russia, rather than to relieve England of this payment; and no doubt there was abstract justice in his proposal. But, in like manner, Spain received a large sum from England on condition of putting an end to the slave trade, and it had frequently been proposed that she should be compelled to refund it. It had been always answered, however, and he thought justly, that this was a somewhat low view of the question, and, moreover, would deprive us of the right of future remonstrance or action. He had probably seen as much of Poland as the hon. Member, though he could believe he had not heard quite so much; for the hon. Member, as the champion of Poland, must be overwhelmed with communications of various value, and he entirely shared in the sympathy the hon. Member expressed. It could hardly be otherwise. There were instances of oppression all over the world, and our own hands were not quite clean. But there were, happily, not many instances of a nation of higher type, greater intelligence, and superior civilization trodden down by another inferior in all these respects. It was like Macedon quenching the liberties of Greece, or the Huns destroying the civilization of Imperial Rome. He did not relish the sight of Kosciusko's mound at Cracow, encircled by an Austrian fortress; and when he saw the palace of Willanow, near Warsaw (the cherished abode of the hero Sobieski,

> "Europe's bulwark 'gainst the Ottomite,"

and still possessed by his descendants), garrisoned by Mahomedan Circassians, who shot the deer, trod down the flowerbeds laid out by the English Countess, wife of the present possessor, and even killed a white doe which used to eat bread out of the children's hands, the words of Virgil forcibly recurred to his mind—

> "Impius hæc tam culta novalia miles habebit,
> Barbarus has segetes."

He would not inquire whether the atrocities which had been so often commented upon were exaggerated or not. He believed they were. A book by Mr. O'Brien gave valuable information on this point. Assuming (and it was late to question this) that the Russians were to hold Poland, severity followed as a matter of course. He did not think Count Berg governed with more harshness than he deemed essential to this end; but, no doubt, his subordinates frequently exceeded their instructions. Still the rule of Russia was very severe. After the insurrection the inhabitants of Warsaw were practically confined to the gates, mourning was not allowed, and shortly before he was there a tragedy occurred which would give an idea of the misery which prevailed. The House knew that an Imperial ukase had been issued, converting every tenant into a freeholder, which was, of course, a measure of confiscation (since imitated by General Paine in Kentucky). There was at the University of Warsaw a Polish noble, professor of medicine, who had let every acre of his land to tenant-farmers, living upon the rents and devoting the salary of his profession to the assistance of poor students. He was no politician, but a man of science who had taken no part in the insurrection. This ukase reduced him suddenly to beggary and threw him into a state of despondency, during a fit of which he threw himself out of a window and was killed. Enormous fines were levied on the Potocki and other noble families for things happening on their estates, but with which they had nothing to do. *Væ victis!* Such, he supposed, were the natural results of civil war all over the world. We were not quite free from similar imputations in regard to India recently, and to Ireland a hundred years ago. But these were themes for the moralist and historian rather than the practical statesman, and he would ask what good would arise from discussing these transactions. What good had our former interference done? Let him go back a little way. It had often been asked why Poland did not rise during the Crimean war. The answer was that the people were advancing in material wealth, and that the moderate party, which included the best in the land, hoped more from making friends in Russia than from having all Russia as their enemy. At that time there was growing discontent in Russia. The Government by emancipating the serfs had made itself more absolute, and the nobles, that was the middle and upper classes, agitated for representative institutions, and hoped to gain their point from the weakness and fears of the Government. They, therefore, made common cause with Poland, and were prepared to consent even to the political independence of that country, provided they could gain their own ends. At that moment the unfortunate insurrection broke out in Poland, excited, possibly, by the Russians themselves, but it was in consequence of the existence of a revolutionary party in Poland. The men seized by the conscription, which was really a *coup d'état,* belonged to a secret society sworn to take up arms against Russia. The fault of Russia lay not in this, but in neglecting to protect the moderate and loyal party, which was thus placed in a most cruel position between two fires, liable to murder for not joining the insurrection on the one hand, and to confiscation and exile on the other for joining it. It might be that Russia was more afraid of the moderate than of the insurrectionary party, and gladly involved both in common ruin. If so, that was a Machiavellian policy worthy of the severest condemnation. However that might be, the insurrection went on; still there was no sign of sympathy from the reform party of Russia with the Government. They saw their desired opportunity, and remained unmoved, while the Government between discontent within and insurrection without were at their wit's end, till they were unexpectedly relieved by foreign interference. The debates in that House and in the French Senate, the speech of the noble Lord at the head of the Government, and still more the despatches of the noble Lord at the head of the Foreign Department roused the Russian people. Throughout the country it was assiduously disseminated that England owed Russia a grudge for her interference in the East, and France did so for the defeat of 1812. A revulsion of feeling took place. It was felt that the question was no longer between two parties in Russia, but between Russia and a foreign enemy; and as the contests between patricians and plebeians in Rome were quieted by the news that the Volscian or Gaul was at the gates, so the Russian empire was again at unity with itself. The Moscow Reform journal changed its tactics and wrote in favour of the Government. Addresses of sympathy poured in from all sides; and on the other hand the Poles, counting on foreign aid, redoubled their efforts and prolonged their agony, till the Russian Government, relieved from internal dissensions, defied England and France, prepared for war, and, taking advantage of the winter, crushed Poland. At present there appeared to be no chance for Poland. Vast numbers of people from that unhappy country had been exiled, others were in despair. The late ukase had ranged the tenantry on the side of the Government, and those who had seen, as he had, the trophies in the arsenal of Tzarsko-Selo, composed of arms taken from the Poles — arms which might have been borne by the Jacquerie or the Covenanters, would be convinced that the Poles must eventually succumb to a well-armed force. If our past interference had done no good to the Poles, certainly it had not procured any credit to ourselves. Let them, therefore, abstain from idle words which did but miserably deceive, remembering that the vain hope of foreign aid had strewn with corpses the frozen forests of the north, and swollen the long line of exiles on their march to the still more frozen wastes of Siberia. He gave the hon. Member credit for persevering sympathy with a gallant people, but for the reasons he had stated he should feel compelled to Vote against his Motion.

VISCOUNT PALMERSTON: Sir, I entirely agree with the hon. Member who has just sat down (Mr. Cave) in regretting that the hon. Gentleman the Member for the King's County should have thought it his duty again to bring this subject under the discussion of the House. I do ample justice to the honourable sentiments by which the hon. and learned Member is actuated in favour of Poland, and to the perseverance with which he has endeavoured to obtain from the House an expression of opinion favourable to the view which he has adopted. Still I cannot help thinking that on the present occasion he has not exhibited as much judgment as might have been expected from him. The subject of Poland has been repeatedly discussed in this House. Now, it appears to me that there is a rule which ought to be observed in bringing grave subjects forward for discussion. A Motion of this nature ought only to be put upon the paper for the purpose of obtaining from the House once and for all a decisive expression of opinion which may have the effect of influencing events, or if the occasion should justify it, of obtaining from the Government some action with a view to giving effect to the opinion which such Motion at the same time endeavours to extract from the House. Now, with reference to the first point, this subject has been repeatedly discussed in this House. The hon. and learned Gentleman has himself this evening quoted opinions expressed on occasions similar to the present; so that as far as a deliberate expression of opinion as to the conduct of Russia towards Poland is concerned, nothing can be added to what is already contained in the records of Parliamentary proceedings, and any mere repetition of similar expressions following the others in less decided and more general terms tends rather to weaken instead of strengthening what has been done before. I think, therefore, that inasmuch as the object of the hon. Gentleman is to obtain from the House a condemnation of the conduct of Russia towards Poland, he would have better consulted the interests of the country whose wrongs he deplores by allowing the matter to rest upon the recorded debates and discussions of the House, instead of weakening his cause by affording opportunity to the unjust inference that by the way in which this debate is conducted, the interest excited in favour of the Poles has in any way subsided. Therefore, as far as eliciting an opinion from the House is concerned, I think that the hon. Gentleman has misjudged the course which he should have followed. Then with regard to the second point—a Resolution on this subject should have the object of inducing the Government of this country, acting upon the promptings of Parliament, to interfere in the affairs of Poland for the protection of the Poles. This could be done either diplomatically or by the employment of force. But the hon. Member disclaims any desire that this country should go to war for Poland, and, as he says to-night, he never urged such a course upon the Government. I willingly subscribe to that assertion. He especially always disclaimed any desire that anything falling from him should be construed into a wish on his part that there should be a war between England and Russia on behalf of Poland. But the hon. Member, and with him many other hon. Gentlemen in this House, earnestly recommended the employment by the Government of diplomatic exertions in favour of Poland. The Government was not only asked to undertake this duty by itself, but we were strongly urged to enlist the other Governments of Europe in our endeavour to persuade Russia faithfully to perform her engagements, and to adopt a different course towards the Poles. That action was adopted by us and failed; and because the result of those diplomatic exertions did not realize their anticipations, hon. Gentlemen have made that very failure a matter of reproach to us. The national feelings of the Russian people induced them to rally round their Government. They considered those representations by foreign Powers as implying an intention to coerce the independent action of a great nation; and so far from those representations producing any good result, I am afraid that they only tended to increase the irritation which already existed in Russia against the Polish nation. Here, then, Sir, the employment of force is disclaimed by the hon. Member after the failure of negotiations adopted by the advice and at the earnest entreaty of the hon. Gentleman, and after the failure of similar representations made by nearly all the non-Polish Governments of Europe, who had been induced to make these exertions by the influence of the English Government. But the hon. Gentleman, not deterred by his own disclaimer and by the failure of what he recommended, now propounds a third method of inducing Russia to perform her engagements—namely, that this House should make a declaration of forfeiture of Russia's right to Poland, and should withhold payments to Russia which are stipulated by treaty. I would ask, however, what would be the value of a declaration made by this House that Russia had forfeited a right accruing to her by virtue of a European treaty? This House is not a treaty-making Power, and this House, I most respectfully submit, is not a treaty-breaking Power. If any treaty which the Crown of England has contracted had been broken by the Power with which the treaty was concluded, it rests with the Crown to represent its claims, and, if necessary, to make war in their vindication; but I maintain that neither the Crown or any one Power has the right by its own declaration, to emancipate itself from obligations contracted with another Power. Therefore, the first part of the hon. Member's Motion, declaring that the Emperor of Russia has forfeited his rights to Poland, in consequence of his non-compliance with the engagements of the Treaty of Vienna, would be a declaration unattended by any practical value, and inconsistent, as I think, with the dignity of the House and the respect which it owes itself. Then the hon. Member makes another proposal. He proposes, in consideration of the violation by Russia of the engagements of the Treaty of Vienna of June, 1815, the discontinuance of the payment on account of the Russo-Dutch Loan, which payment was stipulated to be made to Russia, not by the Treaty of June, 1815, but by the treaty of the May preceding, and therefore in no way connected with the Polish engagements. That engagement on our part had, I repeat, no connection with Poland. The engagement in connection with the Russo-Dutch Loan was undertaken on our part in consideration of Russia supporting the union of Holland and Belgium. The case of forfeiture was to be the failure of Russia to exert her force and means to maintain that union, if it should be endangered. Before the revolution in Belgium no question could arise; but when that revolution had taken place, and a conference of the five Powers assembled, the Governments of England and of France, under the circumstances, were of opinion that it was hopless to expect that the union, which had been broken by the insurrection, could be re-established with any advantage to Europe or any prospect of permanence. Russia, Austria, and Prussia were of a different opinion. They wished the union to be re-established by force, and one great object of the conference was to press upon those three Powers to acquiesce in what we considered to be a fact irreversible except at the risk of a general European war. Russia very reluctantly consented to do that which the English Government wished—to agree to the separation of Belgium from Holland; but then Russia said, "by the letter of the treaty, by the separation of Belgium from Holland, if not prevented by Russia, or if Russia has not used her best efforts to prevent it, she forfeits the payment to her of the amount insured to her on account of the Russo-Dutch Loan, and therefore, as it is at the request of England, at her earnest desire, that we consent to the abandonment of the union, it would be the height of injustice for England to deprive us of the annual payments which under the former treaty she undertook to make to us." That observation was so entirely just and equitable that the English Government had no answer to make, and a new treaty was signed agreeing that the payments should be continued upon Russia consenting to the separation of Belgium from Holland, and that in case at any future time a different arrangement should be contemplated, Russia should not concur in such arrangement without the consent of Great Britain; obviously pointing to some different position of Belgium which might be deemed inconsistent with the interests of Great Britain. But for us to turn round now and to say to Russia, "Because you, Russia, have misconducted yourself with regard to Poland—because you have broken the engagements in the Treaty of June, 1815, with regard to Poland—we are therefore to break our engagements founded upon a different treaty, and based upon wholly different considerations," would be to do that which I hope this House and the Government would ever be ashamed of even contemplating as possible. But see to what a lame and impotent conclusion the hon. and learned Gentleman comes. He is eloquent upon the wrongs of Poland, which nobody denies, declaring that great European rights have been violated, asserting moreover that in which I do not concur, that wherever there is a right there is an obligation to enforce that right. I deny that proposition altogether. Where there is a right there is also a discretion to enforce it or not according to circumstances—to the facility or the difficulty of the task. But see to what an impotent conclusion the hon. Gentleman comes. Here is an hon. Member who arraigns Russia before the tribunal of the world for breaking her engagements, for acting the tyrant towards a deservedly commiserated people, and for having committed cruelties which, in his first notice of his intended Motion he designated in terms which were not, as I thought, very proper for this House to adopt; but having arraigned Russia for one of the greatest crimes recorded in history, as my hon. and gallant Friend behind me (Sir Harry Verney) has said, the hon. Member thinks it would be consistent with the dignity of this great country to sconce Russia of a payment of some £70,000 a year as a punishment for her offence. If the breach of engagements on the part of Russia be such as the hon. Member thinks, and as the other hon. Members agree with him in thinking it to be, then that might be a cause of war; we might take up arms if we could do so with effect to vindicate the rights of Poland and the engagements of the violated treaties; but I must say it would be a thing altogether unworthy of this House, and unbecoming to the country, that we should show our sense of a great European wrong by putting into our pockets, instead of paying into the Russian Treasury, a sum which by a solemn treaty we had undertaken to pay to Russia for considerations which have not been broken. Whatever might be the feelings of the House, it would be a clear violation of an engagement—an engagement wholly distinct from the question of Poland—one not to be affected at all by the conduct of Russia towards Poland; and therefore I hope that this House will not agree to the Motion of the hon. Gentleman, inasmuch as I think a record of its opinion upon the conduct of Russia has been sufficiently made in its former debates, and the means by which the hon. Gentleman proposes to give effect to that opinion is one that it is not fitting to the dignity of the House or the good faith of the country to adopt.

MR. DENMAN said, he could not join in the regret of the hon. Member for Shoreham (Mr. Cave) that the Motion had been brought forward, inasmuch as it afforded an opportunity of renewing the protest they had made on former occasions against the wrongs of Poland and the scandalous violation of treaties on the part of Russia, and he was glad that the noble Lord who had just spoken had not said one word in derogation of those strong opinions which he had expressed upon that subject. He agreed with the noble Lord in doubting whether there would be any great use in adopting the Resolution. If he were to vote for the Resolution it would be simply as a means of recording again his opinion that Russia had scandalously violated the rights of Poland and the Treaty of Vienna. He would be glad to vote for such a Resolution, because he felt that it would not be entirely thrown away, and that the gallant Poles valued very highly any expression of sympathy on the part of this country. He could not vote, however, for the last paragraph of the Resolution, because the noble Lord, who was too high an authority for him to contest with, had declared that the payment of this money was quite independent of the stipulations of the Treaty of Vienna. He should, upon the whole, advise the hon. Member for the King's County not to divide.

MR. BUTLER-JOHNSTONE said, he quite agreed that it was not consistent with the dignity of Parliament to be continually expressing a useless sympathy with Poland. There appeared to him to be something humiliating in the spectacle when the struggle was over, during which England had refused to draw the sword on behalf of a gallant and suffering nation, that we should content ourselves with putting on record a fruitless expression of sympathy. For that reason he regretted that the subject had again been brought before the House, and he should have allowed the Motion to be withdrawn, as it probably would be, without taking any part in the discussion, had it not been that the noble Lord at the head of the Government had taken credit to himself and the Government for having acted in the way in which the sympathizers of Poland desired them to act—that they had used diplomatic action in favour of Poland, and that action had, unhappily, been unsuccessful. The noble Lord mistook the recommendations of the hon. Member for the King's County, and the other friends of Poland, who did not want that kind of sympathy. What they did want was, not that England should draw the sword, but, by diplomatic action, if possible, to induce Austria to allow her Gallician provinces to go free. It was proposed that England and France, in return for the cession of the Gallician provinces, should agree to guarantee Austria the whole of her other dominions in case of attack on her by Russia. That diplomatic action, recommended by the friends of Poland in this country, might have been successful or it might not, but it was certainly not war. The Government, however, took a very different course, which only succeeded in exciting the feelings of the Russian people. France was in earnest, and was ready to go to war; England joined her in her protests and in the six points:—but when matters got to this length, and all the world thought that we were ready to go to war, when Lord Russell heard that the presentation of the six points would he taken by Prince Gortschakoff as a *casus belli*, the presentation of the joint note at St. Petersburg was stopped by telegraph. This kind of diplomatic action was humiliating to England, and did no good to Poland. The Government, therefore, could certainly take no credit for having done anything which the friends of the Poles recommended them to do. The case of Poland was one to which Englishmen could not look back without some humiliation, for the Government had either gone too far or not far enough. Now that the struggle was over it certainly would be more consistent with the dignity of Parliament to let the matter pass in silence, and for these reasons he should not support the Motion.

MR. DARBY GRIFFITH said, he thought that this would probably be almost the last occasion upon which the cause of Poland would be brought forward in that House; because that cause had become so hopeless that our warm expression of sympathy for that country might, as had been truly said, do more harm than good to that unhappy nation. He begged to point out to his hon. and learned Friend the Member for the King's County, that a fundamental fallacy had run through the whole of his arguments on this subject. He invokes the aid of this country in favour of the maintenance of the Treaty of Vienna; but, at the same time, he must be aware now that the Poles would be far from accepting the provisions of that treaty. When he visited the country himself some two or three years ago he happened to arrive just at the time when the Count De Lambert, a most intelligent and benevolent-minded gentleman, had heen sent there charged with a mission by the Emperor conciliating the Poles. He was ready to do anything which could be done, consistently with the maintenance of his master's authority, to content them. At that time Warsaw was in a state of complete tranquillity, the national emblems were sold in the shops, the patriotic hymns were sung in the churches, and the ladies were allowed to walk in the public gardens in any costume they pleased. That is to say, they were allowed to wear the mourning which would now send them to Siberia. But without wishing to blame, or presuming to pass any judgment on the conduct of the Poles, it was clear that they were not inclined to accept any kind of good Government from Russia short of the concession of their ancient nationality and the cession of Lithuania. How that was to come about was not easy to see, as of course it was hopeless to expect the consent of Russia to such a proposition. Diplomatic negotiations, such as ours, which were not meant to be enforced, were futile. Both in this case and that of Denmark last year, our Government had discovered the absurdity of supposing that they could produce any effect by merely writing despatches which had no force behind them. It has often been said that the best English negotiator was a captain of a three-decker, and the ultimate resort to such an argument must be implied in all diplomacy that is to have any weight. Sympathizing as he did with the Poles, he could not consent to a Motion of this kind. We must endeavour to judge fairly of all, even of the Emperor of Russia. It must be remembered that the Poles were in rebellion against his authority, as according to the Treaty of Vienna; for even in this country rebellion would be put down by the strong arm of the law. If his hon. and learned Friend were to raise the green flag of rebellion in the middle of a cabbage garden in Ireland, as did Mr. Smith O'Brien, he was afraid that not even his prepossessing appearance, nor his commanding eloquence, nor his position in that House, as Member for an Irish county, would save him from a fate which he would shudder to contemplate, and which they would all deplore.

MR. HENNESSY said, that after the debate which had taken place, he would not press the Motion to a division.

Amendment, by leave, *withdrawn.*

SELECT COMMITTEE ON TRADE WITH FOREIGN NATIONS—QUESTION.

MR. W. E. FORSTER said, he rose to ask, What steps, if any, Her Majesty's

Government have taken, or intend to take, to carry out the recommendations of the Committee appointed last Session to inquire into the arrangement between the Foreign Office and the Board of Trade in reference to the Trade with Foreign Nations? If the House would allow him, he should very briefly give some explanation why the Committee came to the resolutions they did, for though the subject was a dull one it was not unimportant. When a Committee had been appointed to inquire into the relations which one Department of the Government bore to another, he was sure the House would feel that the labours of such a Committee were a matter which was deserving of their consideration. The House would remember that this Committee had been appointed unanimously after he had ventured to bring the subject before the House at the request of a large body of commercial men, including the representatives of most of the Chambers of Commerce in this country, who felt that there were great evils affecting their interests from the system of double action on the part of the Foreign Office and the Board of Trade on foreign commercial matters. He felt that it would have been desirable if the Chairmanship of the Committee had been intrusted to some one of more weight and ability than himself; but though he had had the conduct of the Committee's proceedings, he had been assisted by hon. Gentlemen of far greater weight and of the greatest experience and standing in the House in such matters—among whom he might specially mention his hon. Friend the Member for Rochdale (Mr. Cobden), whose absence on the present occasion he much regretted. The complaints made by the Chamber of Commerce were fully stated in their Report of the Committee; and though the foundation for those statements had been disputed by his hon. Friend the Member for Southwark (Mr. Layard), and other officials, the evidence given before the Committee had not tended to remove from the minds of commercial men that these evils really existed — on the contrary, it had rather confirmed that belief. The evil effects of the delay arising from the double action of the two Departments was shown by the correspondence which had taken place between them in regard to the Belgian Treaty. Again, when it was understood by Her Majesty's Government that it was probable the Italian Government were going to remodel their tariff, the Foreign Office requested the Board of Trade to furnish them with a communication on the subject; but the paper drawn up by the Board of Trade on the 22nd of April, 1862, was put aside in some pigeon-hole of the Foreign Office, and did not again see the light till February, 1863, when our Minister at Turin having sent over his own draft a search was made for it. The practical result of this want of communication between the two Departments was that a duty was levied on an article which would not have been imposed but for that mishap, for when the Italian Government were remodelling their tariff, there being no Italian interests to be benefited by continuing the protection as regarded jute, there could be no doubt that, if there had been any one at Turin who knew anything of the requirements of English commerce in regard to that article, the Italian Government would have lowered the duty on jute; but, unfortunately, the matter was not suggested to them. It would be found by the evidence taken before the Committee that there was not any one in the Foreign Office whose special business it was to look after commercial matters. During the course of the investigations of the Committee the Under Secretary for Foreign Affairs sent out inquiries to our different diplomatic representatives on the Continent, asking them for information as to the arrangements by which the action of foreign Governments was conducted with respect to their foreign trade. A series of very interesting answers were obtained; but, unfortunately for their deliberations, the Committee did not receive those replies till the inquiry had nearly come to an end; and he did not know whether they should have obtained them even then, only they had been informed that there were one or two such documents in existence. It would be found from these replies that in foreign countries there was generally a Ministry of Commerce as well as a Foreign Office; and that there was a special department in their Foreign Office for commercial matters, and a special department in their Board of Trade for Foreign Office business. While he did not want England to imitate foreign countries in all matters, he thought the system to which he had referred acted better than ours. The Board of Trade in this country, on the whole, did its work very well. There were in that Department gentlemen well versed in the commerce of the country, and in the principles of political economy; and he had no fault to find with the knowledge possessed by the Board of Trade in commercial matters and in foreign commercial matters especially. But when they came to see how that commercial knowledge of the Board of Trade was brought to bear, and how far it was available for the Minister who had to conduct our relations with foreign countries, they found that in the Foreign Office there were no special persons appointed who gave their attention to commercial matters, and that the communication between the two Offices was made in writing. The relations between the Foreign Office and the Board of Trade in England were different from those connecting similar Departments abroad. There was another point of difference between England and foreign countries. Although this was essentially a commercial country, the Board of Trade did not hold a position equivalent to the office of Minister of Commerce on the Continent. The office was looked upon in the family of the Cabinet somewhat in the light of a poor relation, and there was no regulation that its President must necessarily be a member of the Cabinet, notwithstanding the office was now held by a very influential Member of the Cabinet. The Committee appointed to inquire into the matter had to consider three suggestions:—First, that the Board of Trade should do all the work by itself; secondly, that the Foreign Office should act entirely upon its own responsibility; and thirdly, that the two offices should do the work conjointly as at present, but with better arrangements for communication between them. The first proposition was not very seriously discussed by the Committee, in consequence of the difficulties which it was felt would arise if two Foreign Offices were in existence. It would not do to have two sets of negotiators with foreign countries. With regard to the second proposition, that the Foreign Office should do all the work unaided, the Committee found upon inquiry that although it was the practice of the Foreign Office to consult the Board of Trade upon commercial matters, yet it was entirely within their discretion whether they should do so or not, or even whether they should act upon such advice when given. There was a strong feeling in the Committee that such a state of things should be altered, but there was a great difference of opinion as to what remedy ought to be applied. He was glad to see the Secretary of State for the Colonies, who as an old President of the Board of Trade was examined before the Committee, and expressed his opinion with force that the Foreign Office should be left to do its own work, and that the Board of Trade should be mainly consultative. He had no great respect for Boards of any kind, and would not much regret to see them all abolished—except only the Cabinet. As to all Executive functions the principle ought to be to make the responsibility as strong as possible on individuals. The Board of Trade was curiously constituted. Originally he was under the impression that the Archbishop of Canterbury was a Member—this, however, was not the case; but the Lord Chancellor was on it, so was the Speaker, so were the Secretaries of State. Practically, however, the Board was the President, and the only objection which could be made to it as a Board was that the duties of the Vice President were not sufficiently defined, and that he had very little to do, except to take the place of the President when that gentleman was absent. He objected to the Board being consultative—it ought to be altogether Executive and attend to its own special business like other Departments of the Government. But even as a consultative Board, yet most of the Offices did not appear anxious for its assistance; for instance, the India Office never, and the Colonial Office and the Treasury rarely, consulted it. He believed the reason to be that those Offices were themselves compelled to obtain information on matters which concerned them, and when they had obtained that information they felt no necessity for applying to the Board of Trade for assistance. The Under Secretary for Foreign Affairs, in support of his views, stated that the Foreign Office had such an immense amount of work to get through that it was impossible for it to acquire the amount of knowledge necessary for conducting its commercial business. This argument, however, did not have much weight with either the majority of the Committee or with himself, and he could not help having a lurking suspicion that the Foreign Office might find out that in future it would have less to do with foreign countries than hitherto, and might, therefore, be able to devote more time to matters of trade. But, however that might be, the real argument that weighed with the Committee was this—that the Board of Trade possessed much information on commercial subjects, and that the Foreign Office did not, and though he thought they ought to possess that information, still, while they were acquiring it, it would be desirable that they should have the advantage of the knowledge of the Board of Trade. He now came to the actual recommendations of the Committee. They were these—

> "1. That the Board of Trade be placed more nearly upon an equality with the Foreign Office than it is at present, in order that its opinion, when asked, may have due weight, and that its chief be always a Member of the Cabinet.
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> "2. That the Board of Trade be put in direct communication with the members of the diplomatic and consular services, and that such communication be carried on through the Foreign Office, with such provisions as shall prevent collision. Lastly, that an officer or officers be appointed in the Foreign Office to conduct its correspondence with the Board of Trade."

The effect of the first recommendation was that the Board of Trade should have its full weight until there ceased to be any necessity for consulting it at all—and that would be when the Foreign Office felt itself able to do its own work. On this point he must ask the right hon. Gentleman the Member for Ashton (Mr. Milner Gibson) to give a definite reply to a specific question—namely, whether he did not think it would be advantageous to establish a rule that all cases should be recorded in which the Foreign Office having consulted the Board of Trade did not think it necessary to adopt the advice of the Board. The two other recommendations of the Committee were more immediately practical than the first one, and if carried out their effect would be to bring to bear in the most valuable manner possible the assistance and the knowledge of the Board of Trade in the affairs of the Foreign Office abroad as well as at home. The Foreign Office might be regarded as being divided into two branches — the Home Department, in Downing Street, and the Foreign Department, represented by our Ambassadors and Consuls abroad; and what was required was that the knowledge of detail and of political economy possessed by the Board of Trade should be brought to bear upon both those branches. He desired to be informed by his hon. Friend whether any steps have been or were intended to be taken by the Foreign Office to carry out that second recommendation. He understood from the speech of his right hon. Friend the President of the Board of Trade, at Ashton, that something had been done towards the carrying out of the last recommendation, that an officer or officers should be appointed in the Foreign Office to conduct the correspondence with the Board of Trade; and he trusted that they should find that it was not merely that a clerk had been appointed to sort the letters and take care that they did not get lost in the pigeonholes—although that would be something —but that some gentleman had been selected to hold personal communication with the Board of Trade, who would have such authority and occupy such a position that he could inform the Foreign Minister what ought to be done in all matters of commerce. He might be asked, "Why do you men of business care so much about the internal working of official departments? What can they do for you? It may be very well that men in the Foreign Office, and also at the Board of Trade, should understand the principles of political economy and the various branches of commerce, but how can they help trade?" To this he replied, that there were many matters of detail in which commercial men would always require the assistance of the representatives of our Government abroad and of our officials at home—such as the operation of the laws with respect to trade marks and the interpretation of tariffs—which rendered it necessary that there should be persons connected with the Government to whom commercial men might go and make complaints, and who it was very desirable should be as well informed as possible. He would go further and admit that he and those at whose request he had moved in this matter, thought that something might still be done by this country to promote trade between this country and foreign nations, and especially to obtain the diminution of those prohibitory and protective duties which had done so much to restrict it. Let it not be supposed, however, that they desired to return to the practice of making bargains by treaties. He had never heard any Chamber of Commerce, or any commercial man regret the apparent generosity, but real prudence, with which when we made the treaty with France we extended its advantages to all other foreign nations, and thus deprived ourselves of the power of ever again buying a favourable tariff; and if, as the hon. Gentleman the Under Secretary for Foreign Affairs had asserted, any pressure had ever been put upon the Government by merchants trading to China or elsewhere, to induce them to take steps to force trade, it had not been done by any one with whom he had ever come in contact. He, and those with whom he was acting, revolted from the idea of either bullying or bribing other nations into trade with us, but they still believed that something could be done by the Government in the matter. Let the House see what an effect had been produced in Europe by the hon. Member for Rochdale having induced the Emperor of the French to act upon comparatively free trade principles. The example of France was now operating upon every country on the Continent. He hoped that his hon. Friend the Member for Newcastle (Mr. Somerset Beaumont) would be able to tell the House something of the effect which that example was producing in Austria. It had been felt in the Zollverein, and there were some symptoms that its influence had extended even to Russia. The continental nations were becoming convinced that protection was injurious alike to the consumer and the producer, and starved the revenue. He knew that the improvement of the relations between two Offices of our Government could have no influence upon the extension of commerce comparable to that which was now being exercised by the increase of freedom, which was being acquired by all the nations of Europe, by the effect of the increase of railway and telegraphic communication, which was daily bringing manufacturers into closer intercourse with each other, from which they learnt that they could do without protection, and even by the necessity which Governments were experiencing for raising, to provide for the expense of their enormous standing armies, revenues which they could never obtain under a protective system ; but he believed that our representatives abroad and our officials at home, might do much either to hasten the progress of free trade or to retard it. Whenever foreign Governments set to work to amend laws or tariffs which interfered with trade, to the advantage of this country—and every such amendment must be to our advantage—they would expect to find in our Ministers both at home and abroad knowledge, zeal, and earnestness on the subject ; and if they found them apathetic, ignorant, or careless, they would themselves naturally be disheartened. All that he asked was that there should be established between these two Offices such relations that our Ministers at home and our representatives abroad should be enabled by possessing a knowledge of the principles of political economy, and by being in communication with merchants and manufacturers, to seize every opportunity of extending our commerce ; and he did not think that he was asking too much. He must acknowledge that the Government paid much more attention to this subject than it did two or three years ago, and that, in fact, there was practically very little fault to be found at present. He felt assured that, day by day, the Foreign Office would see more and more clearly that they would better promote the interests of this country abroad by attending to this matter, than by dynastic intermeddling or even by giving advice to other countries as to the management of their affairs.

MR. HORSFALL said, that he had read the Report of the Committee with the greatest attention, and he had also read a great portion of the evidence; but he did not altogether agree with the conclusions to which they had come. With the first recommendation of the Committee—that of placing the President of the Board of Trade on an equality with the other Ministers of the Crown, and making him at all times a Member of the Cabinet—he entirely agreed; but he had looked in vain for any evidence to support the second one, that the Board of Trade should be placed in direct communication with the members of the consular and diplomatic service through the Foreign Office. The President of the Bradford Chamber of Commerce, Mr. Ripley, absolutely and repeatedly declined to give any opinion upon the subject. Mr. Behrens, a merchant of the same town, said that the only office that could be responsible was the Foreign Office. Mr. Allhusen, a merchant of Newcastle-upon-Tyne, handed in a long memorial from the Chamber of Commerce of that place, but it contained not a word as to whether the responsibility should rest with the Board of Trade or with the Foreign Office. Mr. Akroyd, of Halifax, formerly a Member of that House, said that he should like to see a Minister of Commerce, but that he ought to be at the Foreign Office. One merchant, Mr. Ashworth, the President of the Manchester Chamber of Commerce, certainly appeared to lean towards the Board of Trade. His answer was a very peculiar one, but those who had experience of the conciliatory manner of the President of that Board, and knew how courteous a reception he gave to any gentleman who approached him, could easily account for its language. Mr. Ashworth said—

"We have hitherto had very familiar intercourse with the Board of Trade; the directors whenever they come to London are always welcome there. If they go to the Board of Trade to ask for information they find every freedom of access and familiarity there; they are always well received. But I do not know a man who ever went to the Foreign Office except upon a deputation; I do not myself know any individual in the Foreign Office beyond the hon. Under Secretary for Foreign Affairs himself."

If Mr. Ashworth had been so frequently at the Board of Trade, and had never been at the Foreign Office except on a deputation, he would not be considered a very competent witness in the present case. It had, however, been his (Mr. Horsfall's) duty, as the representative of a considerable seaport, to go to the Foreign Office so often that he must have been sometimes considered a nuisance, and his experience was that as much commercial information was to be obtained there as at the Board of Trade, and he must say that all his representations had met with prompt and immediate attention. The Secretary to the Dundee Chamber of Commerce thought it would be better if the Foreign Office managed affairs of trade with foreign countries entirely, and if the Board of Trade had nothing to do with the matter. Mr. Lindsay, the Member for Sunderland, was examined before the Committee. He was asked—

"Do you think that it would be more advantageous to keep the power of negotiation in the hands of the Foreign Office, and to give no Executive power to the Board of Trade? I think it would be much more desirable to keep the power of negotiating in all such matters as those to which the honourable Chairman has referred in the hands of the Foreign Office. Upon what do you base that opinion? My reason is, that I think the work would be done with more promptitude; and if those negotiations were entirely in the hands of the Foreign Office our diplomatists abroad would necessarily in their training be obliged to gain a knowledge of commercial affairs which would be very useful to this country, and they would, consequently, be much more competent to deal with those questions than they are now."

The hon. Gentleman had cited the evidence given by Lord Malmesbury, who, seeing the feeling among certain Gentlemen, said that he saw no objection to communications from the Board of Trade going under cover from the Foreign Office to our Ministers and Consuls abroad. But Earl Russell, who had considerable experience at the Foreign Office, and Lord Clarendon, who had had still greater experience at the Foreign Office, and at the Board of Trade besides, were decidedly opposed to the view in question. The hon. Gentleman spoke of delays at the Foreign Office; but he (Mr. Horsfall) had no such delays to complain of, and no one had had more opportunities of judging. The Foreign Office were not the only body who were complained of for delay, for Mr. Hammond told the Committee that the Foreign Office were two months in getting an answer from the Bradford Chamber of Commerce. Another complaint was, that the Chambers of Commerce were not put in communication with the Italian Deputy who came over to this country on the subject of a commercial treaty. Now, in his opinion, nothing could be more fatal to the success of a commercial treaty than for it to be known that it was brought forward on the suggestions of the Chambers of Commerce in this country. He should like to refer to a letter written on this subject by the hon. Member for Rochdale (Mr. Cobden), dated July 16, 1863. The hon. Member said—

"As a general rule, I should say that recommendations emanating publicly from our own commercial bodies must afford very disadvantageous grounds for the Foreign Office in attempting to move other Governments to reduce their tariffs. I can understand that our diplomatists abroad might, in a quiet way, by keeping foreign Governments well informed of the benefit which a free trade policy has conferred, not only on the prosperity of our people, but (what is still more precious to rulers) on the interests of the public revenue, induce them from motives of self-interest to follow our example; but from the moment that it is known that our diplomacy is set in motion by our Chambers of Commerce to urge a reduction in the tariffs of other countries, it places foreign Governments, which are generally more enlightened and disinterested on economical questions than their people, in the disadvantageous position of appearing to move under foreign influence for the benefit of aliens; and thus the most seductive arguments are furnished to the Protectionists, who can appeal to the prejudices and even to the patriotism of the people, in defence of what they call the rights of native industry. I have, whenever an opportunity has offered, expressed these views to the members of our Chambers of Commerce."

Nothing could more clearly show the impropriety of placing our Chambers of Commerce in communication with the Italian Deputy. The third recommendation seemed to point to an increase on the staff of the Foreign Office in order to conduct the correspondence between the Foreign Office and the Board of Trade. If the efficiency of the Foreign Office were thus increased, no one could object. He did not cavil either at the Report or the evidence of the Committee, and if the labours of the Committee resulted in the more efficient action of the Foreign Office in matters of trade and commerce no one would rejoice more than himself.

MR. LOWE: Before my right hon. Friend the President of the Board of Trade replies to the question put to him, it may be convenient that I should urge the view that has strongly taken possession of my mind, and which has been shadowed forth in some degree by the hon. Member for Liverpool (Mr. Horsfall). The Board of Trade—of which I speak with some knowledge, having been Vice President for two years and a half—may be said to possess two separate jurisdictions—its common-law and its statutory jurisdiction. The latter consists of a number of duties relating to merchant shipping, railways, and other matters, which have been thrown upon it by a succession of statutes. These are matters of detail, requiring, no doubt, knowledge, discretion, and ability, but they are not of the first rank in public business. Besides this, the Board of Trade has its common-law jurisdiction, which consists in being called upon to advise the Departments of the Government on matters relating to trade and commerce. There is besides the statistical department, which might nearly as well belong to any other civil branch of the public service. That is a rough account of the duties of the Board. As to the consultative department of the Board, it no doubt had its origin in an age that was barbarous in matters. It arose at a time described by Evelyn, when the Government of Charles II. were afraid that the American colonies would take the course adopted by them 100 years afterwards, and throw off their connection with the mother country. It was established at a time when it was a received axiom of political science that it was the duty of Government to regulate, protect, and promote the trade of its own country, and the Board of Trade was considered to be the depository of that kind of lore, such as it was, by which the action of the Government was regulated. Now, of course, we know that no task would be more difficult, if not impossible, than to advise the Government well on such subjects. It was, however, no wonder, when trade was considered to be a sort of political mystery, that it was considered necessary to set aside a master of that political science to advise the Government on those matters. When the Government condescended to regulate what a man was to pay for his bread and meat, and what pattern of buttons he should wear on his coat, and having led him by the hand all his life would not lay him in his coffin without regulating the woollen shroud with which he was to be covered—it was no wonder that a Government which surrounded its subjects with such paternal care should constitute a Department with such delicate and difficult jurisdictions. But I really thought we had got to the end of all these things. I read the evidence given by the Secretary for the Colonies with the greatest admiration, and gave it my cordial assent. I had laboured under the impression that the time had come when we had discovered that there are no mysteries to communicate on this subject, when the whole question has resolved itself into a single maxim, and when the entire business which the Government have with the trade of the country might be described by the pithy axiom of Lord Melbourne, "Why can't you let it alone?" That being the view I am disposed to take of the subject, I should have been better pleased if the Committee had recommended that this consultative department should be swept away and abolished altogether—the expense saved to the country, and the useless and unnecessary machinery removed. I can imagine no good purpose that it answers; and if I were disposed to concede that there is anything in the wants and necessities of the public service corresponding to the duties of the Board of Trade, I can imagine nothing worse than the principle of having a consultative department at all. For one department to advise and another to act is to fritter away responsibility altogether. Those who are responsible for the advice are not responsible for carrying it into action; those who are responsible for the acts are not responsible for the advice; and between the two no one is responsible. Besides, it is pretty clear that there is no one in these days, except, perhaps, my hon. Friend the Member for Bradford (Mr. W. E. Forster) who supposes that political economy is one of the dark sciences. No one is fit to be a Secretary of State, or even an Under Secretary, who is not master of every question in the science of political economy that may come before him. But then it will be urged, I dare say, though the hon. Member for Bradford does not lay stress upon it, that we ought to have a Board of Trade in order to help us to make commercial treaties. Now, Sir, I have been a free trader all my life, and I hope, therefore, the House will bear with me when I confess to a sort of scepticism with regard to this new-fangled plan of carrying into effect free trade principles. I am not going back now to the old system of proposing, for instance, to give Portugal a monopoly for her wines if she would give us a monopoly for our flannels—that is not what I now speak of; but it is the stipulation with a foreign country that it shall take off certain duties upon our exports, and that, mind, not with a view to its own revenues, but to our trade. If this really is our policy we have taken it up too late. We should have kept on our duties till we got an equivalent for taking them off. It is as if a person should go into a shop to purchase goods for ready money, but should first throw his purse into the Thames. There are considerations involved in this matter which are utterly and entirely independent of those questions of higgling and bartering; and, besides, we have already reduced ourselves to this point, that we have nothing to offer in exchange. Therefore, we enter into a course of negotiations which it is impossible to bring, from that narrow point of view, to an advantageous conclusion. Then, hitherto, we have been an example to other nations — the missionaries of a sound political economy, and, no doubt, from our great prosperity we have been most powerful missionaries in that behalf. But are we so now? Are these commercial treaties which we are negotiating teaching the nations around us the true principles of political economy? I learn from the evidence taken before this Committee that this Committee — Lord Palmerston and Lord Russell — looked with disfavour upon these commercial treaties. I say nothing now about the commercial treaty with the Emperor of the French, who by making the treaty acquired a legislative power, and could act for himself without the sanction of his Chambers, from whom the treaty might not have obtained so favourable a reception. But what is the true language of political economy on the subject of imports and exports? Political economy says, "Lower your duties in order that you may get the productions of other nations as cheaply as possible"—that is for the sake of the consumer—and it is sound doctrine. But what do we virtually say when we negotiate a commercial treaty? We say, "The end of commerce is not what political economy would teach you—the obtaining of imports—but the sending out of exports. The *summum bonum* is to send out as much as possible." We say to foreign countries, "Allow us to export to you, and we will allow you to export to us; not because it is a good thing for us to receive your exports, but because it is a profitable thing to send you ours." Thus we excite them to look to the means instead of the end, and we teach them to believe that the wealth of nations consists not in what we get, but in what we send away. Thus we are leading foreign countries to suppose that our advantage and their advantage are very different things, instead of being one and identical; we are teaching them to regard our exports as an injury to them, and theirs as an injury to us; we are helping to confuse the whole subject, and I am satisfied that the course which we have taken will ultimately end in mischief. But if we are to have treaties of commerce and proper persons to negotiate them, the Board of Trade are certainly not those persons. I regret, therefore, that the Committee should have taken the part they have. They recommend that the Board of Trade should be raised to a high point of dignity and importance. But that is impossible, unless the duties of the Department are of such a nature as to confer dignity and importance of themselves. Names are of no consequence unless the duties are equal to the titles. But from the history which I have given of the Board of Trade I think it will be seen that the duties which it discharges under Acts of Parliament are of a secondary class, and the duties of advising the Government are of an inferior class still, because the Government are not bound to follow that advice. Therefore, it is quite out of the question to suppose that you can raise this Department higher, particularly as a great part of the duties which it discharges had better be left out of the sphere of Government action altogether. If there is to be a Department kept up for such a purpose, I apprehend that the necessary correspondence would be better carried on by the Foreign Office itself. The objection taken to that proposal is that the Foreign Office is divided on geographical principles, so that the clerks of one Department are not acquainted with the duties of another. But it would be easy to find a person duly qualified to undertake the whole matter for the

Foreign Office. But what does the Committee recommend? It recommends that the consultative department of the Board of Trade should continue, and that another Department should be created—the result of which would be to leave the country in a worse position than it was in before. Finding one useless department it makes two. I deem it my duty to urge these considerations upon the mind of my right hon. Friend the President of the Board of Trade, and I shall be glad when he replies if he would be so good as to explain, as an old free trader, what is the advantage which the public derive from the Government interfering in matters of commerce.

MR. WHITE said, he would be glad to hear that the recommendations of the Committee were not to be carried out by the Government. The recommendations of the Select Committee of last Session, presided over by the hon. Member for Bradford, were three—

> "First, that the Board of Trade should be put more on an equality with the Foreign Office, so as to give its opinions greater weight, and that its chief should always be a Member of the Cabinet; secondly, that the Board of Trade should be put in direct communication with the diplomatic and consular services; thirdly, that an officer or officers should be appointed in the Foreign Office to conduct its correspondence with the Board of Trade."

Now, he was strongly of opinion that anything which tended to diminish or to divide the responsibility of the Secretary of State in the conduct of foreign negotiations was highly objectionable; and, besides, was it not an anomaly to give to a second Department anything like a control over the servants of the first? Now, in his humble judgment, the Resolutions reported to the House were not justified by the evidence, and, what was more, they were only carried by the casting vote of the Chairman. There were six for and five against the Resolutions reported to the House, and from a careful perusal of the whole evidence he could not but believe that the sounder conclusion would have been to have adopted the Amendment of the hon. Baronet the Member for Stamford. That Amendment was not supported by the majority, but it had found favour with the hon. Member for Rochdale and the hon. Member for Totnes. It recommended the establishment of a Commercial Department in the Foreign Office for the conduct of commercial negotiations and the investigation of complaints, without the necessity of referring to the Board of Trade except upon very special occasions—a qualification which he humbly submitted was not necessary. After having waded through the dreary and dismal platitudes of noble Lords and right hon. and hon. Gentlemen who were examined, or rather paraded, before the Committee, it was refreshing to arrive at last at the only evidence really worth reading—that of the right hon. Gentleman the Colonial Secretary, almost the only disinterested witness examined, and who was best qualified to give an opinion, as he had himself been President of the Board of Trade, and was fully cognizant of all its details, and its special relations with the Foreign Office. The right hon. Gentleman said, that putting into the hands of two, what could be done effectually by one, was almost a certain way of rendering the transaction of business less rapid and effectual, and that the persons responsible to give effect to opinions were the persons who should form, mature, and express those opinions. It was much to be regretted that the Foreign Office did not make the simple addition which was required in that office; for, if that had been done, the official and departmental exigencies of the case would have been satisfied, and all causes of discontent on the part of the commercial community would have been removed. It was quite true that this improvement in the organization of the Foreign Office was vehemently opposed by the permanent Under Secretary, Mr. Hammond, and also by the Parliamentary Under Secretary, the hon. Member for Southwark, who did his work right well as the representative of the Foreign Office on the Committee, by putting bewildering—he would not say misleading—questions to the witnesses. He confessed to no surprise at the hostility of the permanent Under Secretary of the Foreign Office to the requisite change, because it was not reasonable to expect such a hierarch of the civil service, who had been forty years in that Department, to willingly assent to any improvement not initiated by his own office. His (Mr. Hammond's) reason for opposing the change was that it was impossible for the Secretary of State to do more than he did at present, and that it would swamp the office; but he (Mr. White) was glad to find that the evidence of the bureaucrats had produced no effect on the minds of practical men, or on the opinion of the Secretary of State for the Colonies, whose attention was specially directed to Mr. Hammond's evidence. Since his hon. Friend the Member for Bradford was so persistently and sedulously endeavouring to raise here and in the provinces a mere departmental into a national question, he (Mr. White) was compelled to inquire into the origin of this movement and the appointment of the Select Committee. The Committee was appointed on the 15th of April last year, and he (Mr. White) suggested that it should have been called, instead of the "Trade with Foreign Nations Committee," "The Foreign Office and Board of Trade Squabble Committee," or "The Board of Trade Revival or Resurrection Committee"—for that object seemed most to have been aimed at. Whatever might have been the ostensible object of the Committee, it appeared to him that it was a clumsy machinery to demonstrate the fussy feebleness and the industrious inaptitude of the Foreign Office. In his opinion the real value of the inquiry had been to demonstrate that in the interests of British trade and commerce the Board of Trade, as a consultative body, should be forthwith abolished as recommended by the right hon. Gentleman the Member for Calne, who, be it remembered, had formerly been Vice President of the Board of Trade. He was surprised that the Committee should have arrived at such a conclusion as they did, and that the Foreign Office should still avail itself of the consultative functions of that Board. He could only attribute the adherence of the Foreign Office to this clumsy system to the fact that it did not like to disturb or break down so venerable an institution as the Board of Trade. The objections to the present system were concisely expressed last Session by the right hon. Gentleman the Member for Oxfordshire, who said, "When A was obliged to go to B to get C to do something, the work was multiplied and was not done satisfactorily." Thus stands the case as between the British public, the Board of Trade, and the Foreign Office. And the right hon. the Secretary of State for the Colonies said that "the principle of free trade is so simple and plain that we don't want the assistance of the Board of Trade." They ought to remember that at one time we levied customs duties on 1,500 articles, but that now they were levied only on some forty articles. The Foreign Office was now the only Department which consulted the Board of Trade, and he was at a loss to understand why that system should be persisted in. Now he (Mr. White) thought the time had arrived for sweeping away this remnant of past absurd legislation. The evidence of the Secretary for the Colonies had given the death blow to the consultative functions of the Board of Trade. The cardinal principles of free trade were epitomised in these five words of a great Frenchman—*laissez faire et laissez aller.* He contended that after the evidence of the right hon. Gentleman the Secretary to the Colonies he was surprised that the Foreign Office should entertain the project suggested by this Committee. That right hon. Gentleman said that the present Foreign Secretary, as well, indeed, as all who filled that office, perfectly understood the true principles of the foreign commercial relations of this country without needing to consult anyone. The Board of Trade originally sprung from what was called "The Committee of Council for Trade and Foreign Plantations," established in the reign of William III., and now consisted of the Archbishop of Canterbury, the Lord Chanceller, the Prime Minister, the Secretaries of State, and other persons of distinction. Mr. Booth, the Senior Secretary of the Board of Trade, frankly told the Committee that that Board is "entirely a fiction," and there was "no Committee of Council of Trade and Foreign Plantations, that it is never summoned, and therefore never meets." In former times all the various other public Departments used to refer to the Board of Trade upon all questions of commerce; but it appeared that the Foreign Office was the only Department which now consulted it. To judge from the evidence given by the Colonial Secretary, he was at a loss to imagine why the Foreign Office still persisted in that practice, unless it was either from an obstinate adherence to antiquated official routine, or from a sort of compassionate desire to preserve the lingering existence of a venerable institution which had, in times past, acted, and might yet act, as a kind of "buffer" to the Foreign Office against mercantile remonstrance and discontent. The evidence of the Colonial Secretary was quite decisive on this matter. It clearly went to show that the Foreign Secretary did not need to consult any other Department on commercial questions, and that the consultative functions of the Board of Trade ought to cease. "What," the right hon. Gentleman said, "what I object to is the existence of a Department which has no Executive functions, and has nothing to do but to write dissertations and to give opinions." He thought he had said enough to show that a saving ought to be effected in respect to that Department, and when the House came to consider the Civil Service Estimates that point should be borne in mind. Another witness, whose evidence he ought not wholly to pass over, was Mr. Mallet, a highly meritorious officer of the Board of Trade, and perhaps the most useful man in it. That gentleman, who had been associated with the hon. Member for Rochdale in negotiating the French Commercial Treaty, gave it as his opinion that unless the consultative functions of the Board were revived, and the office had generally a more distinctly consultative character than it now possessed, the continuance of those functions, in the very limited extent to which they now existed was not only useless but disadvantageous. With all the courage and daring which characterized him, the hon. Member for Bradford endeavoured to breathe new life into the dry bones of the Board of Trade. What was that but teaching the people to look to the Government to do for them that which they ought to do for themselves? That was one of the worst and most insidious forms of protection, although advocated by the Associated Chambers of Commerce, and it ought to be discountenanced by every true believer in the principles of free trade. Were the hon. Member for Bradford's recommendation adopted, and the President of the Board of Trade "transmogrified" into a French Minister of Commerce, a still stronger case might be made out for having a Secretary of State for Agriculture. It was a remarkable coincidence that Ministers of Commerce seemed to be confined to countries where the greatest commercial restrictions prevailed; and why a professed free trader like the hon. Member for Bradford should seek for his model in this matter among continental States he could not understand. If they were to proceed upon that hon. Member's principle they could not consistently refuse to create a Secretary of State for Agriculture likewise, who also would have to be put in direct communication with the diplomatic and consular services, because our farmers, being scattered all over the country, had not the same advantages for knowing the fluctuations of foreign markets as our merchants and manufacturers possessed. From £40,000,000 to £50,000,000 worth of corn, flour, butter, cheese, and various other articles of domestic consumption came into this country annually, entering into direct competition with native produce. Therefore, if the hon. Member for Bradford got the Foreign Office or the Board of Trade to collect information and provide outlets for our manufacturers, our agriculturalists would have a right to call for diplomatic and consular reports as to the probable prospects of the crops in America, South Russia, and other countries which sent us large quantities of the same commodities as they themselves produced. The hon. Member for Bradford lately told his constituents that he himself felt particularly honoured by being the organ of the Associated Chambers of Commerce in advocating an increased interference by Government in matters of trade. Now, what was a Chamber of Commerce? In France they knew very well what such a body was, for there it had specific and well-defined duties; but what it could do or what it could not do in England it was very difficult to discover. In that metropolis they had no Chamber of Commerce, and he did not know that they were much the worse off on that account. Sundry self-elected, well-meaning gentlemen met together in a town and called themselves a Chamber of Commerce. If the hon. Member for Leeds were present he should be tempted to ask him whether he had a £6 franchise as the electoral qualification for returning the Members of such bodies. But after talking matters over together in the provinces these gentlemen treated themselves to an "outing," and came up to London; and it might be that the dull and uninteresting debates of the House of Commons were supplemented by the more vivacious discussions at the Westminster Palace Hotel. Whatever object these Chamber of Commerce had in view, it could be much better attained by the direct action of Parliament. He felt bound to express his regret that any Chamber of Commerce essentially liberal should give in its adhesion to that revival of an old delusion that benefits could be conferred on commerce by the agency of Government—a delusion which he could only attribute to the working of the well-known law of the human mind, that if attention were directed exclusively to one subject it would be unable to form a proper estimate of any other. The clients of his hon. Friend had been gazing too intently at what they believed to be their own interests, and thereby forgot what was the interest of the whole community, being at the same time quite insensible to their own grievous backsliding from the true faith as laid down by Dr. Adam Smith. Judging from some of the discussions which had taken place, it really seemed as though some of those clients of his hon. Friend were urging their claims on the attention of the Government with all the mistaken zeal and all the fallacious hopes of the old Protectionists. Were he not afraid of wounding the feelings of his hon. Friend he should say that some of the views put forward in the Select Committee of last year would be ludicrously absurd if they were not so palpably preposterous. He had been most anxious to discuss this matter privately and in good temper with his hon. Friend, and had they done so many of the observations he had now felt it necessary to make might have been spared. His hon. Friend, however, did not seem very well disposed to accept the proposition, and so there remained no alternative but to put forward his views in public. He found these words in the memorial of the Associated Chambers of Commerce, upon which the Motion was made for the Select Committee last Session—

> "It is undesirable that English manufacturers should be compelled to make in Parliament, or through the press, such public expression of their wishes as tends to their defeat by foreign manufacturers."

There was a time when a declaration like that would have been characterized as a marvellous manifestion of ignorance, if, indeed, it were not styled selfish audacity. The British manufacturers, under the auspices of the hon. Member for Bradford, deliberately repudiated the action of a free Parliament, and shrunk from the discussion in a free press. There must be something like instinctive fear on their part if the plans they preferred, or the objects they had in view, would not bear the ordeal of discussion in that House or of examination by the public press; and despite the advocacy of such heretical doctrines by the hon. Member for Bradford, he was so old fashioned as to believe that no honest ends ever suffered by discussion in Parliament, and that no just claims were ever perilled by the fullest argument in the public press. The declaration of the Associated Chambers of Commerce, if it meant anything, went to this extent, that they hoped to obtain advantages by surreptitious means, and that, with this object, they were willing to resort to secret diplomacy, of which they had been the most uniform and consistent denouncers. He had no wish to take technical objections to the form of the memorial, but he defied any one to read it and say that it did not embody the essentials of the exploded doctrines of the old Protectionists. In the evidence given before the Select Committee it was urged as a ground of complaint against the Foreign Office that whereas France took our productions at the rate of five shillings per head per annum, Austria took but at the rate *5d.* per head per annum, and Russia only at the rate of 6¼*d.* per head per annum. The logical deduction from this complaint he held to be that there were certain northern manufacturers who would be willing that the British Government should guarantee the Venetian provinces to Austria, or the Kingdom of Poland to Russia, provided those great Powers consented to admit British manufactures at a reduced rate of duty. ["Oh, oh!"] He knew that such was not their meaning; but the inference was a fair one from the paragraph of the memorial which he had read. He was very sorry that his hon. Friend the Member for Bradford had stirred in this matter, for the effects of the agitation were visible in pending commercial treaties. At this moment the Vice President of the Board of Trade was at Vienna, attempting to negotiate some kind of commercial treaty with Austria. This revival of the passion for commercial treaties, in favour of which at one time so much popular prejudice was enlisted, was a retrograde step which ought to be sternly discountenanced by every sincere free trader. The advisers or leaders of the Associated Chambers of Commerce would seem not to know, or else to have forgotten, the exceptional circumstances which alone justified the late commercial treaty with France, productive, thanks to the hon. Member for Rochdale, of so much benefit to both nations. As regarded his right hon. Friend the President of the Board of Trade, he could not bring himself to conceive that he would offer any obstacle to the abolition of the consultative department; on the contrary, his undisguised zeal as a free trader would lead him gladly to offer himself up as a sacrifice. And in urging the abolition of the Board of Trade as a consultative department he would suggest that the residue remaining after that change should be called the railway, statistical, and miscellaneous department; or, better still, by the name which the noble Lord the Member for King's Lynn had suggested, the "Heterogeneous Department." The co-operation of the right hon. Gentleman the President of the Board of Trade might, he thought, be counted upon, because, when the hon. Member for Bradford, in his Committee, endeavoured to coax him into an admission favourable to his peculiar views, and, putting it in the manner most agreeable to his feelings, asked the right hon. Gentleman whether, as protector of the trade interests—protector of the trade interests in the Government—his position ought not to be made one of more authority, like the Minister of Commerce abroad, the right hon. Gentleman, unseduced by the blandishments of the hon. Member for Bradford, candidly replied, "I really have not a very strong opinion on it." And, again, when he was asked whether he had any suggestion to make to the Committee with reference to the special object they were met to consider, the right hon. Gentleman, with characteristic ingenuousness, replied, "No, I cannot say that I have." In conclusion, thanking the House for the patience with which it had listened to him, he desired to say that he had been a free trader all his life; and as a foreign merchant, one who had passed many years in remote lands, he declined to accept his hon. Friend the Member far Bradford or the Associated Chambers of Commerce as infallible guides. And he would presume to tell both him and them that British merchants and manufacturers should want nothing and ask nothing from the Government but what they had a just right to claim—namely, that in carrying on unmolested all transactions of lawful business they should enjoy that security for life and property which the liberal votes of that House provided for every British subject at home and abroad.

MR. LAYARD said, he should confine himself in the observations which he was about to make to replying to the questions which had been put to him by his hon. Friend the Member for Bradford (Mr. W. E. Forster), leaving it to his right hon. Friend the President of the Board of Trade to vindicate his own Department. He should not attempt to reconcile the various conflicting opinions of the hon. Gentleman and his mercantile friends in the House. So far as he could see, scarcely any two Members representing the commercial community of this country were agreed in their views as to the relative positions which should be occupied by the Board of Trade and the Foreign Office, nor had he heard any definite opinion pronounced as to what course should be taken in reference to any reform to be made in the relations of those two Departments. As regarded the Committee which was appointed on the Motion of the hon. Member for Bradford, he was under the impression that that Committee was appointed under a misapprehension of the real state of things; and he was, he might add, inclined to concur with the hon. Member for Brighton (Mr. White) in what he said with respect to the memorial on which the hon. Member for Bradford founded his Motion. The Chambers of Commerce, in drawing up that memorial, seemed, he thought, completely to have misunderstood the relations which existed between the two Departments in question. It should however be borne in mind that when the hon. Member for Bradford pretended to speak on the part of the Chambers of Commerce of this country, he, in truth, represented only a certain number of them, in which several large commercial countries, such as London, Liverpool, Manchester, and Glasgow, as well as others of great importance, were not included. He felt grateful to his hon. Friend the Member for Liverpool (Mr. Horsfall) for the testimony which he had that evening given as to his experience in his dealings with the Foreign Office; and he believed, speaking not as the representative in the House of the Department, but as a private individual, that no business could be better transacted than that which passed through the hands of its permanent staff. Indeed, the evidence of the hon. Member for Liverpool on the point was fully corroborated by the hon. Member for Sunderland (Mr. Lindsay) whose absence from the House nobody regretted more sincerely than himself, and who stated before the Committee that he found official business more expeditiously and satisfactorily disposed of in the Foreign Office than in any of the other Departments with which he had had to deal. The hon. Member for Bradford, however, said that the fears and beliefs as to the inefficiency of the Foreign Office, which he had detailed to the House, had been more than confirmed by the evidence given before the Committee; but he (Mr. Layard) entirely concurred with the hon. Member for Brighton in thinking that the evidence before the Committee completely destroyed the case of his hon. Friend. He was perfectly astonished when he heard the evidence of Gentlemen representing large commercial communities before the Committee. The statements made in that House by his hon. Friend the Member for Bradford had been of a very vague description. He had charged the Foreign Office with all kinds of *laches;* but all these accusations had completely broken down. The story about the Italian Treaty was an instance in point. He said a draught treaty, prepared by the Board of Trade, had been left in a pigeon-hole in the office and was altogether forgotten ; but it turned out that there was no foundation whatever for the statement. They were informed by the Italian Government that until the negotiations with the French Government were completed they would not enter into any commercial negotiations with this country, and the reason, as already stated by his right hon. Friend the Member for Calne (Mr. Lowe), was clear enough. They were negotiating with France on the principle of reciprocity—they were making a treaty bargain with France; we had nothing to offer ; and until they knew what France gave they would make no reduction in our favour, because, if they did, the French Government might demand a similar reduction without any equivalent. The same might be said of many of our attempts to enter into negotiations with foreign Governments. But when the Foreign Office was accused of neglecting the commercial interests of the country, he was curious to ascertain some facts from these representatives of the Associated Chambers of Commerce. He would ask any Member to read the evidence with impartiality, and give his opinion as to the charges which had been made and the gentleman who had brought them forward. One gentleman, the chairman of one of the most important Commercial Associations in this country, stated that the Foreign Office did nothing ; that they were ignorant of commerce ; that they mismanaged everything they undertook ; that every application to the Foreign Office was treated with neglect or contempt. He (Mr. Layard) asked that gentleman if he knew the difference between a Minister and a Consul ? He confessed he did not. He asked him whether he knew anything of our treaties with Belgium, with Italy, and with Turkey ? He replied that he never heard of them. There was a gentleman, the representative of one of the most important Chambers of Commerce in the kingdom, who actually admitted before the Committee, that he was not aware that we had during the last three or four years concluded three most important commercial treaties. He condemned all our consuls, and said they were good for nothing. He was asked had he ever read a consular Report. He said he never knew such a thing existed. He was asked whether copies of those Reports were not sent to the Chamber of Commerce which he represented ? After being prompted he admitted that they might, and that they might be very able Reports, but he had never read one of them, and did not know of their existence. He actually admitted that the Chamber of Commerce with which he was connected did not take in the *London Gazette*, although every change affecting foreign trade was notified in it. This gentleman, who condemned the Foreign Office, had never seen the *London Gazette* in the Chamber of Commerce which he represented ! He confessed when he found such stupendous ignorance on the part of one of the leading associations of the country, he thought little more of the vague assertions on which his hon. Friend founded the Motion which led to to the Committee. The Foreign Office did not shrink from the Committee. They were most desirous that everything that could be done for the promotion of the commercial interests of this country should be done ; and, in fact, during the last four or five years every means had been taken to bring up those connected with the Foreign Office to the standard of the commercial knowledge of the day. The Secretaries of Embassy and Legation were ordered to furnish every year a full Report of the commerce and statistics of the country with which they were connected. More valuable or able collections of documents on such subjects could not be found. It was remarkable that for three or four years these documents, although regularly presented to Parliament, had been overlooked ; it was only recently that the leading journal in this country had founded on these Reports a series of most interesting and important leading articles. and their value was now fully appreciated by the commercial interests of this country. It was almost incredible that gentlemen connected with Chambers of Commerce should be ignorant of the very existence of these Reports. There was another thing these gentlemen entirely overlooked. They thought the Government had nothing more to do, when a commercial treaty was wanted, but to go to the Foreign Government and say we wanted a treaty with them. He quite agreed with what had been stated by his right hon. Friend the Member for Calne on this point. Commercial treaties were not the best way of promoting our commercial interests. ["Hear, hear!"] His hon. Friend the Member for Bradford said, "hear, hear!" but those with whom he acted were constantly calling on the Government to enter into them. He complained that a draught treaty had not been sent to Turin—that it had been forgotten, and he said we had neglected to enter into treaties of commerce with foreign nations. These gentlemen entirely forgot that commercial questions were intimately connected with political questions. They could not separate the two. It was all very well to enter into communication with a liberal Minister in a foreign Government who might be disposed towards a liberal policy; but very frequently, however well disposed he might be, he found it impossible, from political considerations, to enter upon a course of liberal policy. Take the case of Spain, which had been fully discussed before the Committee. Under the recent Government the Prime Minister was exceedingly well disposed to a free trade policy, and to reduce the high tariff in favour of this country; but the difficulty was this—there was an adverse Chamber. The whole of the Catalonian Members were Protectionists. The very existence of his Government depended on their support, and if he attempted to introduce into the Spanish Cortes a law in favour of a liberal commercial policy he must inevitably have fallen. How, then, could Her Majesty's Government call on him to adopt a policy which would have led at once to the fall of his Government. What political capital would have been made of the fact if foreign Governments had sent missions to this country to demand the reduction of our duties when the great battle of free trade was being fought; and what strong weapons would thus have been placed in the hands of the Protectionist party to defeat the Government! These were difficulties which commercial gentlemen, like his hon. Friend the Member for Bradford, entirely overlooked. They only looked to the commercial interests of the country; all other considerations were forgotten. Let any hon. Gentleman read the evidence of Mr. Ashworth, Mr. Ripley, and others before the Committee, and say if this was not the case. He agreed with his right hon. Friend the Member for Calne that these questions of free trade and reduction of tariffs were rather questions for a people than for a Government to decide. What took place with regard to Austria? When Count Rechberg was Minister he stated that he was well disposed to enter into a liberal commercial policy; but he said, "This is a question not for the Government but for the people of Austria; do not make any representations to us, we do not need them, but let English merchants of knowledge and experience come to Austria, become propagandists, meet the Austrian manufacturers, put themselves in communication with Austrian Chambers of Commerce, and prove to them that it will be to the advantage of Austria to enter into a free commercial policy." What did the Foreign Office do? They sent a circular to all the Chambers of Commerce of the United Kingdom, and invited them to select intelligent persons to proceed to Vienna and enter into discussions with the various Austrian Chambers, communicate with the leading manufacturers, and endeavour to persuade them that it would be for the advantage not of England alone, but of their own country, to reduce their tariffs. The Chambers responded to that invitation of the Foreign Office. They sent several gentlemen to Vienna, who took with them a most able address drawn up by the Associated Chambers to the merchants and manufacturers of Austria, pointing out the enormous advantages free trade had conferred on this country. That document was circulated in Austria. It had an immense effect. We had been called on to supply a large number of copies of this address not only to Austria, where articles upon it appeared in the papers, but to Russia, Prussia, and other countries. An excellent Report drawn up by Mr. Prange on the subject of our commercial relations with Austria appeared in the Liverpool papers, and had been printed in the Austrian papers; it was read with the greatest attention by the Chambers of Commerce there, and he was assured it had produced the greatest effect throughout Austria. All these things led to a change of opinion in Austria, and would enable the Government to take advantage of it. A first step had been the sending of gentlemen, as members of a commission, not to conclude a treaty, but to enter into relations with gentlemen chosen by the Austrian Government, to inquire into the working of the Austrian tariff with a view to its reduction, not for the advantage of this country alone, but for Austria herself. These gentlemen were about to meet in Vienna. Here was an instance of what merchants in this country might do. Some gentlemen appeared to think everything should be done by the Foreign Office. Only the other day Earl Russell received a letter from a gentleman asking what was the price at that moment of Bohemian glass and Dresden china. People seemed to think that the Foreign Office was the place where they might obtain information as to details of that kind which they ought to be able to obtain for themselves or through proper agents. Certainly, it was not the duty of the Foreign Office to furnish them. It was perfectly true that a great free trade movement was springing up in Europe—even in Russia it was going on; and he hoped it would lead to important changes in the commercial tariffs and a more liberal commercial policy. But, as in Austria, we must wait till the people at large were prepared to enter into a liberal commercial policy. The question was different in France. There the Emperor had the power and the will to enter into commercial relations—he saw the advantage of a liberal policy and he carried it through. This was not the case in Austria and other countries, where the Government could not enter into a policy of this kind without the support of the Representative Assemblies or Chambers, and consequently they must wait until the people of the country were prepared for the change. Any action brought to bear by the Foreign Office would, as the hon. Member for Rochdale had said, very much retard instead of advance the principles of free trade in those countries. The gentlemen who came before the Committee and who drew up the memorial thought the British Government were to blame because foreign Governments were not induced to enter into a Free Trade policy years ago; but the fact was that it was only recently great changes had taken place in public opinion, which promised to lead to this result. Two events had prepared the way for the advance of the principles of Free Trade in Europe. The first was the immense success of the treaty with France and the advantages which had resulted from it not only to this country, but to France herself, who had derived as much benefit as England. The second event was the termination of the compact which held together the German States called the Zollverein. Until that was at end it was impossible either for England or any other country to enter into any treaty of commerce with those States. When Prussia and the other German States had agreed to sever the Zollverein they were ready to enter into a Treaty of Commerce with France; but they could not treat with us until they knew what tariff reductions they could obtain from France in return for their tariff reductions. It was also necessary to come to some understanding with Austria, who had hitherto enjoyed exceptional commercial privileges, which were not to be renewed. When these questions were settled, Prussia, on behalf of the Zollverein, was prepared to give us a most favoured nation treaty—that is to put us upon the same footing with the most favoured nation with which she had commercial relations. We have been condemned for endeavouring to negotiate commercial treaties. But this would not be a tariff treaty. We merely claimed what had been conceded to other countries, and supposing the Government of England had not endeavoured to place this country upon the same footing as France, there would have been a general outcry against the Government, and they would have been condemned, and justly, too, by those very persons who were now objecting to the principle of entering into commercial treaties with other countries. When Austria found that she was not be placed in exceptional circumstances as regarded Prussia and the Zollverein by a renewal of her former treaty, and that her hands were unfetterred, she was also prepared to enter into commercial relations with us and with France.

As regarded the recommendations of the Committee on the relations of the Board of Trade with the Foreign Office, it would be seen that the first had reference to the Board of Trade, and he would leave it to the President of that Department to inform the House whether any steps would be taken with reference to it. The two others had reference to the Foreign Office, and he would take the last first. It was this—

> "That an officer or officers be appointed in the Foreign Office to conduct its correspondence with the Board of Trade."

The Government had given effect to that recommendation, and he would read to the House the Minute drawn up by Earl Russell.

> "His Lordship directs that a new division shall be created under the denomination of the com-

mercial division,' to be composed, as other divisions of the office, of a senior clerk, an assistant clerk, and such a proportion of junior clerks as circumstances may require and admit of. The commercial division will carry on all the correspondence on commercial matters with Her Majesty's missions abroad and with the representatives of foreign Powers in England, with the Board of Trade, and other Departments of Her Majesty's Governments, and with commercial associations and private persons at home and abroad, with the exception of the correspondence on such matters with China, Japan, and Siam, which will continue, as at present, to be carried on by the political division under which those countries are placed. The commercial division will also, in conjunction with the treaty department, deal with all matters bearing on negotiations for treaties of commerce. The commercial division will likewise carry on the correspondence with Her Majesty's Consuls abroad on matters strictly commercial, and any other correspondence growing out of it."

At the head of this department was placed a gentleman of great ability—Mr. Spring Rice. The department would be placed under the immediate supervision and control of the Parliamentary Under Secretary—the Office which he (Mr. Layard) had the honour to fill. He (Mr. Layard), or the head of the division, would always be ready to receive commercial gentlemen who came to the Foreign Office to consult on matters of business, the Secretary of State, of course, reserving to himself to see persons when he thought the nature of the business required it. He would not discuss the question whether the Board of Trade should exist as a substantive body, but as long as it did exist he did not think it would be advisable to have in the Foreign Office a Department which would really be little else than a duplicate of the Board of Trade. There would then be two Departments carrying on the same kind of work. If the suggestion of the hon. Member for Bradford were carried out as to such a Department, it would be placing a responsibility upon the Secretary of State—who would then become responsible for commercial questions as well as for our foreign policy—which very few Secretaries would undertake. The hon. Member for Brighton (Mr. White) did not give credit for much work being done in the Foreign Office; but he (Mr. Layard) believed there was no Department where there was more hard work to be done. There was scarcely a day in the year, with the exception of the time allowed for his holiday, that Mr. Hammond did not work from ten to fourteen hours, and the duties were very responsible. The Parliamentary Under Secretary, in addition to his duties as representing the Foreign Office in the House of Commons, was called upon to attend to other matters—such as claims upon foreign Governments put forward by merchants and others, questions relating to the blockade, to the imprisonment of British subjects and others connected with the civil war in America, and a thousand other questions which, although forming no part of our actual foreign policy, were of great importance, and which, if neglected, would be a subject of complaint in that House. With regard to the second recommendation of the Committee, that the Board of Trade should be put into direct communication with Her Majesty's Ministers abroad and the consular bodies, the Foreign Office had not acted on this recommendation. He thought, with the exception of the hon. Member for Bradford, no Gentleman who had spoken that night had really supported the recommendation of the Committee. Lord Clarendon had spoken strongly against it, before the Committee, and the Member for Sunderland (Mr. Lindsay), a practical man of business, had also given strong evidence against the recommendation. It was only carried in Committee by a casting vote. It was not, therefore, the intention of Her Majesty's Government to carry out the recommendation contained in the Report. He could not now answer all the accusations of his hon. Friend the Member for Brighton (Mr. White); but he could assure his hon. Friend the Member for Bradford (Mr. W. E. Forster) that the Foreign Office did all it could for the benefit of the public and with a view of carrying on the public service in the most efficient manner possible. With reference to the charges that the hon. Member for Brighton had brought against Mr. Hammond, he could undertake to assure the House with a clear conscience that Mr. Hammond was desirous of effecting any change which would tend to the greater efficiency of the Foreign Office. Mr. Hammond had been for forty years in the Foreign Office, and there was no man in the country who could be compared with him for experience and knowledge. The new commercial department would be eager to further those commercial interests which the Foreign Office had as much at heart as any other Department of the public service.

SIR STAFFORD NORTHCOTE said, that having listened to the speech of the hon. Gentleman the Under Secretary of State, he was surprised that he did not support the Resolution which he (Sir Stafford Northcote) brought before the Committee, and everything which he heard led him to think that there could not be any difference in principle from him in the course which he proposed to adopt. It appeared to him that the question before the House was one which must be viewed in two aspects; first, in an administrative point of view, and next as it affected our commercial policy in general. With regard to that view of the question which bore upon our commercial policy generally, he could only say that he endorsed everything that fell from the right hon. Member for Calne (Mr. Lowe). He had put the matter on a basis which he believed to be sound and unassailable. The question was, whether our merchants and commercial public were to look to Government for support, or to look to themselves; and whether Great Britain was to carry out the principles of commercial policy which had been established for twenty or thirty years back — or even from the time of Huskisson—or to go back to the system of calling upon Government for assistance, and to encourage our merchants to go to some Office or other to get their work done for them. He had never heard a stronger argument in favour of allowing our merchants to manage their own affairs than that contained in the speech of the hon. Gentleman the Under Secretary of State for Foreign Affairs; because the hon. Gentleman had pointed out how greatly some of the Chambers of Commerce fell short of their duty in not availing themselves of the facilities which they already possessed, and how, as in the case of Austria, they were very well able to dispense with all Governmental assistance except such official countenance as that which any Government would willingly afford. He believed that an injurious effect would result to British commerce if the delusion were maintained that our commercial classes were in some mysterious manner to be assisted on all occasions by the Board of Trade. Then looking at the question in the administrative point of view, nothing could be more unsatisfactory. In the language of the right hon. Member for Oxfordshire (Mr. Henley) who usually hit the nail on the head "If A has to go to B to get C to do something, you are going to work in a clumsy way." That was the case in respect to the Board of Trade and the Foreign Office, even if they took it in its most favourable aspect. But further than this, these Departments were put in a false position. Hon. Members ought to consider this. Taking it that the Board of Trade was composed, as had been said, of the most excellent and amiable people it was possible to deal with, ready to listen to everything and talk over anything, always *au fait* on the questions at issue, and ready to represent them to the Foreign Office, it always turned out that when anything got to the Foreign Office it was hung up, it was pigeon-holed, or by some repulsion or other the thing would be brought to an end; or even if anything more should happen to be heard of it, it took the form of a communication to the merchants, informing them that the necessary steps could not be taken on account of some political reasons with which the Board of Trade were unacquainted. These reasons might be and probably would be true ones, but what a position was the Board of Trade placed in? They were made to appear as if they had been making fools of the merchants and traders who had been encouraged to come to them. But if these applicants could have gone at first to the Foreign Office the nature of the difficulty would have been explained, and great disappointments and much ill feeling would have been prevented. There were many cases—very many cases—in which the Board of Trade had given opinions which had been afterwards set aside on political grounds. This was a state of things which could not be satisfactory to either of these Departments; and the clear intelligence which ought to exist between them, and did not exist between them, was really what the merchants wanted. Then there was another ground which he had for saying that this was a very clumsy and unsatisfactory part of our administrative system—a tendency to make work—a fault which he by no means attributed to our administrative system alone, but which appertained more or less to all systems of Government. This tendency would always be fully developed where two Departments were constructed for the purpose of performing the work of one. A staff of able and energetic men, in receipt of good salaries, would feel it incumbent on them to do something, and there would be a great temptation among other things to write letters from one department to another about matters which ought in reality to be managed without any such correspondence. If the department mentioned by the hon. Gentleman were made the sole department for commercial correspondence, and if that department, instead of corresponding with the Board of Trade, were to hold direct communication with the merchants who might have subjects to bring before the Government, he believed that the work would soon be done, and that it would be found easy enough so to strengthen the department as to get through all the necessary labour without any difficulty. If, on the other hand, they merely kept this new department for the purpose of communicating with the Board of Trade, it would be doing nothing more than appointing Jack to help Tom to create a good deal of unnecessary work. He had observed with great pleasure that the Under Secretary of State (Mr. Layard) did not express any opinion of his own as to the maintenance of this consultative department of the Board of Trade, and he concluded from that that his hon. Friend did not approve of it. If that were so it was to be regretted that the hon. Member did not last year on the Committee support his (Sir Stafford Northcote's) Resolution. The hon. Member for Bradford suggested that the Board of Trade should do all this work; but everybody saw that would not do, and that the right persons to manage these affairs were those who had the management of foreign affairs. That, at least, was his own opinion, and he was glad to find from this debate that that opinion was gaining ground. There would, of course, be occasions when it would have to consult the Board of Trade in the same way as it would have to consult with other departments. There must be a department to manage all the matters of detail which were committed to the charge of the Board of Trade. The department which had to do with such matters must be consulted by the Foreign Office and by other Departments of the Government upon subjects on which they were respectively interested. What was required was to put the Board of Trade upon the best possible footing to be able to do its own work, and this consultative department was a heterogeneous establishment, which kept up a sore in the department for its own annoyance, and was of benefit to nobody at all. He did not wish to speak in any terms but those of respect and high appreciation for the gentlemen who belonged to the consultative department of the Board of Trade. Of one, Mr. Mallet, whom he had known for many years, he could only speak in the highest terms. All he intended to say was that this consultative department placed the Board of Trade in a false position, compelling them sometimes to go out of their way to look for work which it would be better for the public and for commerce if it were done by the merchants themselves. Some remarks had been made as to the hon. Member for Bradford preferring the Report of the Committee to the plan he (Sir Stafford Northcote) had brought before the Committee. In justice to that hon. Gentleman he must say that they had consulted together before he brought in his plan, and the hon. Member agreed with its principle. He (Sir Stafford Northcote) had only three votes including his own, and therefore the hon. Member (who was the Chairman) did not vote on that Resolution, otherwise he had the hon. Member's authority for saying his vote would have been in its favour. He (Sir Stafford Northcote's) plan was rejected; and when they came to vote upon the Report he thought it better to do nothing than to recommend the plan detailed in the Report of the Committee. The hon. Member probably did not like to find himself in the position of having moved for a Committee, and that it should end in doing nothing, and so—in what he must be forgiven for saying was a moment of weakness—the hon. Member gave his casting vote in favour of the plan proposed in the Report. He must, however, claim his hon. Friend as a supporter of the principle of his (Sir Stafford Northcote's) plan; and after the discussion of that night and the admissions of the Under Secretary, it was clear the views he advocated had gained ground, and that the time would soon come when the system would be reduced to that more simple arrangement which it ought to be. The Board of Trade was very different to what it was when many years ago he had the honour of being connected with it. At that time the navigation laws were in full force, and the reforms in the tariff were only just commencing. They then had continually to consider matters connected with the navigation laws. Ingenious persons were always finding out ways of defeating those laws, and they had to investigate such cases. They used to bring from time to time what was called an "omnibus Bill" into the House, to cover the blots which had been hit in the navigation laws; and the work arising from this process was incessant. And, besides, in conducting those reciprocity treaties which so much occupied the Government of Sir Robert Peel, the Board of Trade had a great deal to do. All that had passed away, but there was much yet which ought to be done to make it consistent with its proper duties. He fully agreed with the right hon. Member for Calne that it was best for the commercial interests of the country and for its moral effects that the trading classes should be taught to depend rather upon their own exertions and encouraged to feel self-dependence; and he trusted soon to see this sham of a consultative department done away with altogether.

MR. GOSCHEN said, that he had listened attentively to the debate and he found that no less than four different remedies had been suggested for the evils which were supposed to exist. The hon. Member for Bradford (Mr. W. E. Forster) thought that the commercial business with foreign countries should be transacted by the Board of Trade. The hon. Baronet who spoke last (Sir S. Northcote) thought the Foreign Office should have to deal with such matters. The hon. Member for Southwark (Mr. Layard) preferred the Foreign Office together with the Board of Trade; while the right hon. Gentleman the Member for Calne (Mr. Lowe) thought that such business should not be managed by the Government at all. As to the last he understood the right hon. Gentleman to mean that the Government ought to have nothing to do in connection with such subjects; and the hon. Baronet who had just sat down appeared to hold in a modified degree the same opinion. The fact was those hon. Gentlemen had fixed their minds too exclusively upon the one question of commercial treaties; but there were many other questions connected with trade to which no allusions, or only cursory allusions, had been made. For instance, the navigation laws involved questions which the Board of Trade had to deal with in respect to treaties with other countries, quite irrespective of interests more properly belonging to the cognizance of the Foreign Office. Trademarks, too, fell more or less under the attention of the Board of Trade, and as indeed it would be impossible to make a department for every separate question of this kind it was well to have a heterogeneous department like the Board of Trade to gather up all these miscellaneous questions, and he did not see how such miscellaneous duties could be thrown upon the Foreign Office. Some reference had been made to Chambers of Commerce and to merchants in a spirit which he did not think was quite justified by facts. Merchants did not want to make treaties of commerce, but they did want to be present, as it were, when such treaties were made. In the case of the proposed treaty with Italy, for instance, the complaint was that the Foreign Office had not been watchful enough, and that the English public knew nothing of what was going on. In the case of Austria, on the other hand, the Foreign Office had been of great service, for, as had been shown, it was Count Rechberg who pointed out the mode in which the business should be undertaken, and all that was done was done through the Foreign Office. The Foreign Office had also most usefully interfered in the matter of the French treaty. That was said to be an exceptional case. But it was the duty of Government to look out for such exceptional cases. He believed that great good might be done, and had been done, by representations to the different Courts of Europe, pointing out the advantages derivable from free trade. These views were making great progress in Russia, where the Government were much more enlightened than a great portion of the people. All this showed that there was work for the Foreign Office to do, not so much in making treaties as in preaching, as it were, the doctrine of free trade. It had been asked, why then the Foreign Office should not take agricultural subjects, as well as commerce into consideration? The answer was, the thing was done; for our consular agents carefully compiled and sent home the fullest agricultural statistics. Then came the question, *how* the work was to be done? Some persons would intrust it to the Board of Trade, others to the Foreign Office. He contended that this was a question of administrative detail, which it was for our Ministers to decide, and that the commercial men of the country were not bound to point out exactly what machinery should be employed. They could say that a certain thing ought to be done, but they could not point out by what officers of State it ought to be done, particularly when there were such differences of opinion on the matter among Gentlemen who had been in Office. It was the business of those who had been in Office, and who knew the administrative details, to indicate by what means the required end might be obtained. That the inquiry suggested by the hon. Member for Bradford had been of service, was proved by the fact that Earl Russell had created a new Department in the Foreign Office for this purpose. What the commercial classes desired was that when a public Department was intrusted with the performance of certain duties care should be taken to select men who were aware of the importance of those duties and familiar with the principles on which they should be conducted.

Sir MINTO FARQUHAR thought that the hon. Gentleman the Member for Bradford deserved general thanks for having proposed this Committee, which had had the valuable effect of disabusing the public mind of the impression that sufficient attention was not paid to commercial interests by the Foreign Office and the Board of Trade. He had been a member of three Committees having reference to this subject—first, of one on the Consular Service; next on the Diplomatic Service; and of this Committee also. The commercial men of the country came before the last two Committees with a strong impression that their interests were not attended to by our Consuls and diplomatic agents ; that Consuls were too busy looking after their fees, and that Ministers and Ambassadors were men who amused themselves at foreign Courts, and cared nothing for commercial matters. But the evidence showed that they were entirely mistaken ; there was really no substantial accusation against the services, and he believed that the gentlemen who came up to give evidence left the Committee with the conviction that there was no foundation for the blame which had been cast on them. He had been an attaché for seven years, and any man who knew anything of the diplomatic service would agree with him that the gentlemen composing it took a deep interest in the commercial affairs of the country. He appealed to the noble Viscount opposite whether, if any Ambassador, or Minister, or Consul, were to show any dislike to take up commercial matters, he, or Lord Clarendon, or Lord Malmesbury, or Earl Russell, or any of the Foreign Secretaries, would not have told him directly that he was not fit for his place. One of the best innovations ever made in the Foreign Office was when the Secretaries of Legation were directed to make their annual commercial Reports to the Foreign Office ; but one of the gentlemen who came before the Committee acknowledged that he had never known, nor did he think that his Chamber of Commerce knew of their existence. Some of the witnesses complained of delay in these matters, but it was evident that the Foreign Office must be responsible for choosing the *mollia tempora fandi*—there must be moments when a quiet word in season to a Foreign Minister would put things in a favourable light, and pave the way for obtaining advantages which would otherwise be lost. As regarded the Board of Trade, the right hon. Gentleman the Secretary for the Colonies (Mr. Cardwell), and the right hon. Member for Calne (Mr. Lowe), and the hon. Baronet the Member for Stamford (Sir Stafford Northcote), had given distinct evidence against it. At a future time it might be considered whether it should continue to exist; but the ground on which he had given his vote on the Committee was this—he found the Board of Trade in existence, and he was anxious that the intercommunication between that Department and the Foreign Office should be as harmonious and useful to the interests of commerce as possible. If hon. Members were of opinion that the Board of Trade should cease to exist, and that the Foreign Office should be made twice as extensive a Department as it was at present, let that question be considered on another occasion ; but above all things let them avoid giving to our diplomatic agents abroad two sets of masters, for such a system could only result in confusion and delay.

Mr. BAINES said, he would not enter into the general question, but confine himself to two points in the discussion. In the first place, he should regard it as a great calamity if it should go forth to the public that in the opinion of such high authorities as the right hon. Gentleman the Member for Calne (Mr. Lowe), and the hon. Baronet the Member for Stamford (Sir Stafford Northcote), and in the opinion of the House of Commons, or a considerable number of that Assembly, the Government of this country had no interests to attend to in respect of trade. He was afraid that the tendency of the remarks of the right hon. Gentleman and the hon. Baronet would be to convey an impression that there existed in the House of Commons a feeling that the Government ought not to concern itself in the bringing about of commercial treaties or in making efforts with foreign countries to give greater facilities for trade. As a thorough Free Trader he quite agreed with them in deprecating the old system of making commercial treaties by which there was a higgling for the balance of advantages. But the commercial treaties concluded of late years were very different from the old commercial treaties. Let the House look at the history of the last five years, during which time we had negotiated for commercial treaties, not only with France, but with Belgium, the Zollverein, Italy, and Austria. It was true that this country had now no advantages to offer in return for those which we asked of other countries, but we only asked them for a most favoured nation clause, to place us in the situation of other countries with which they had made treaties. We did not always ask for precisely similar terms. Inasmuch as France, for instance, went to another nation and asked for advantages in which French manufacturers were interested, we had to consider whether the same concessions as those made to France were suitable for England. If not, we asked for such advantages as, in respect of England, might correspond with those conceded to France. It was in consequence of negotiations that the tolls on the Scheldt and the Stade tolls had been done away with, and that the export duty on foreign rags had been reduced in France, Holland, and Belgium, and were likely to be abolished altogether in Belgium. Here were great practical advantages; but common sense told us that for the Government to adopt the *laissez faire* principle in these matters would be an abandonment of their duty. We were entitled to ask friendly nations for the same advantages as they granted to other countries; but it was tolerably certain that we should not get those advantages if we did not ask for them. As to the Chambers of Commerce of this country, he was surprised to hear the hon. Member for Brighton (Mr. White) speak so disparagingly of them. The gentlemen who composed them were almost to a man advocates of free trade and enemies of all commercial protection. These Chambers were composed of the most eminent manufacturers, bankers, and traders of the towns in which they existed, and he could bear testimony to the great intelligence and great information of the members of those bodies. He contended that the Chambers of Commerce were anxious for free trade, and that all they required was that Government should obtain for them an extension of free trade with foreign countries. The hon. Member alleged that the Associated Chambers of Commerce were opposed to the freedom of the press. In reply, he could state that the meetings of the Associated Chambers in London were open to the press, who were invited to attend, and he knew of nothing that could be alleged in support of the hon. Member's statement. With regard to the Reports of the Consuls, he felt bound to say that they would be of far greater value to merchants if they were published sooner, as they were now nearly, if not quite, two years behindhand. In conclusion, he must express the gratitude the various Chambers of Commerce of the country felt towards the hon. Member for Bradford for bringing this matter forward.

MR. MILNER GIBSON said, the reply of his right hon. Friend the Under Secretary of State for Foreign Affairs to the questions of the hon. Member for Bradford was so complete that he should not have thought it necessary to address the House, but that not to do so might be considered a want of respect, as he had been so frequently referred to in the course of the debate. If the discussion had been confined strictly to the question raised by the hon. Member for Bradford, and if right hon. and hon. Members had not travelled into a vast deal of irrelevant matter, the discussion would have been limited within much narrower bounds. What really was the question raised? The hon. Gentleman asked what had been done in consequence of the inquiry instituted by him last Session into the relations between the Board of Trade and the Foreign Office; and the Under Secretary for Foreign Affairs told him, in reply, that the recommendations the Committee had made after a full inquiry had been exactly, or, at all events, very nearly carried out. The Under Secretary for Foreign Affairs also said—

> "Having carried out the recommendations of the Committee, let us give the experiment a fair trial, so that we may see whether the new arrangement adopted for carrying on the relations between the Board of Trade and the Foreign Office is successful or not."

The right hon. Gentleman the Member for Calne and the hon. Baronet the Member for Stamford both went out of their way to use a very good argument against a system that did not exist. He was not aware that the Board of Trade employed its time in writing long dissertations and dry essays upon free trade; neither was he aware that the Foreign Office consulted it upon abstract principles of political economy. On the contrary, the Foreign Office only consulted the Board of Trade upon matters of detail with which the latter office was fully acquainted. It had already been stated that upon commercial subjects the Board of Trade must have a vast amount of information, and therefore it appeared to him quite reasonable that the Foreign Office, when it required information upon such subjects, should apply to that office for it. There appeared to be a fallacious notion abroad that the time and talents of the gentlemen who were in the office of the Board of Trade were immovably fixed and devoted to some peculiar and unknown purpose; whereas, it was the duty of those who had the direction of the Department to employ those gentlemen in such a manner as would make their exertions of the greatest possible service to the public, to the Foreign Office, or to any other Department of the State. It appeared to be generally admitted that if the Secretary of State for Foreign Affairs were engaged in commercial negotiations he must consult some one —that he must have officers at the Foreign Office who could give him any information he might require in the conduct of those negotiations. The peculiarity in the suggestion was that he might have any number of persons to consult with, provided they had no connection with the Board of Trade. It appeared to him that if a portion of the Board of Trade was to be transferred to the Foreign Office, the rest of it had better follow. The home trade, the colonial trade, and the foreign trade were to a great degree connected with each other, and it was certainly more useful and more consistent that they should be conducted by the same Department. But it appeared to him that simply to place this portion of the Board of Trade under the roof of the Foreign Office would be neither so useful nor so simple as the present arrangement. He agreed with the hon. Baronet and the right hon. Member for Calne, that to employ the time of the Board of Trade in writing long dissertations upon political economy would be a waste of the public time, yet circumstances might arise when it would be advantageous to break such a rule. There were many subjects which came before the Board of Trade which required to be elaborated with the greatest care, and required great intellectual labour. Such, for instance, was the question of international averages. It was very much desired by the commercial interests of this country that there should be, with regard to what were called "averages" as affecting shipping, one uniform rule pervading all the maritime countries of the world. If the Foreign Office were to attempt to bring France and other maritime countries into harmonious action with this country upon such a difficult question as international averages, was there any reason why that office should not consult the Board of Trade? Surely it was not to be supposed that the Foreign Secretary was bound to make himself master of so difficult and so subtle a question. He therefore contended that the Board of Trade could not be employed more usefully or more profitably than by devoting some portion of the staff to the consideration of such a question, with the view of being able to furnish the Foreign Office with information upon the subject when it was required. It must first of all be considered what rules would be most acceptable to the shipping and to the commercial classes of this country; it must then be considered how far such regulations differed from the rules of foreign countries; and when all this had been done it would be necessary to form a plan which our Foreign Minister could bring under the notice of foreign Governments with the view of ascertaining whether a uniform system of law as regarded averages might not be adopted. That was a duty which the Board of Trade could well discharge, and he did not see what objection there could be to the Secretary for Foreign Affairs, who must have assistance, applying for it to the Department which could render it. The argument of the hon. Baronet the Member for Stamford, that you ought not to have two Departments to do the work which one could accomplish, was, in fact, an argument for uniting all the Departments of the State. Indeed, in a certain sense it might be said that they were all one. They were all public servants for giving advice and assistance to the executive Government, and one was as much at the service of that Government as another. He could see no great difference between the relations of the Foreign Office with the Board of Trade and those which existed between the same Office and the Home Office, the Admiralty, or other Departments of the State. There had recently occurred the case of Mary Ryan, in which the Foreign Office had had to communicate with the Home Office, and the Home Office with the Lunacy Commissioners; and in dealing with all these questions it was often found necessary to obtain the assistance of the knowledge and experience of Departments other than that which was acting in the matter. He was clearly of opinion that all communications with foreign Governments and with Ambassadors and Consuls abroad should be under the control of the Foreign Office; but he did not see any objection to the Foreign Minister consulting the Board of Trade, or any other Department from which he could derive useful advice; and he knew that there many subjects upon which the Board of Trade could, in consequence of the ability of the gentlemen who composed it, and the stores of knowledge which existed in that Department, very usefully advise him. There were many matters, such as the grievances of merchants, upon which no consultation was necessary; but there were other questions—for instance, those arising out of the application of *ad valorem* duties—upon which the Board of Trade could supply the Foreign Office promptly with more useful information than they could obtain for themselves by other means. There was some ambiguity about the expression "foreign trade." Mr. Booth stated to the Committee that he included in that term all questions with foreign nations connected with shipping dues, merchant seamen, harbour dues, lighthouse dues, and many others which were subjects of discussion between the British and foreign Governments. Therefore, if the Foreign Office was to be made self-sufficing upon all matters of foreign trade, it would be necessary to transfer to the Foreign Office not only Mr. Mallett and a few others, but all the gentlemen who were connected with these different branches. In fact, to do the thing effectually, and make the Foreign Office really and entirely self-sufficing, it would be necessary to amalgamate the whole Board of Trade with that Department. He was sure that that could not be the intention of the hon. Baronet. He believed that the discussion of abstract principles had had now little place in the business transacted by the Board of Trade; but he must say that in former times during the discussion of the free trade questions that Department had by such means, by bringing prominently forward sound principles of political economy, rendered infinite service to the country in the promotion of commercial freedom. The evidence given by Mr. Porter and other gentlemen who were connected with the Board of Trade before the Committee upon Import Duties was the first and most important step which was taken in the direction of commercial freedom. He admitted that it would not be right to spend time upon such discussions now; but, at the same time, we must not suppose that we had arrived at perfection. Questions were arising every day, and he had no doubt that as time went on the Board of Trade would find other subjects to which to apply itself, and that in this country we should always need the services of a body of gentlemen, such as were now connected with that Department, who could bring to the discussion of such questions great intellectual power and a large experience. His hon. Friend the Member for the City of London (Mr. Crawford), suggested very judiciously that there would always be a number of questions which did not exactly belong to any Department, and that it was necessary to have one which should gather them up. He believed that the Board of Trade was well fitted to discharge such a function, and that the miscellaneous character of its business enabled it to render very important service to the public. The very consultative department of that Board which it was proposed to abolish had to deal with treaties of commerce and navigation—that was, with questions arising out of those treaties upon which the Foreign Office might think fit to ask their advice—with questions of fisheries, art unions, copyright and trade marks, the registration of designs, companies' partnerships, charters, and many other subjects, and if it were abolished, gentlemen must be found to deal with these questions which occupied a vast deal of time and attention. It was true that charters were not now so numerous as they used to be; but still if an application was made for a charter by some commercial company that was a subject for consideration by the Commercial Department of the Board of Trade. So also with regard to art unions and fisheries. Many difficult questions arose under Acts of Parliament, referring to these two subjects, and they must be dealt with by some one or other. In fact, if any great change was to be made in the constitution of the Board of Trade, it would be necessary to repeal a great number of Acts of Parliament which had imposed onerous duties upon that Board, and to provide some other Department to carry their provisions into execution. As we must have gentlemen to see to the enforcement of these various enactments, it was an economical arrangement to take the opportunity of consulting them upon subjects akin to those in the consideration of which they were generally engaged, and upon which, therefore, they could give very useful advice. Some hon. Gentlemen were of opinion that each Department ought to be self-sufficing. He (Mr. Milner Gibson) said—"Make the best use of the staff of public officers that you are obliged to keep. Let the Board of Trade and every other

Department perform all the service that it can to the country;" and he had no doubt, notwithstanding the theoretical objections which had been urged against the relations between the Board of Trade and the Foreign Office, that those who had the control of those Departments would, to the best of their ability, employ their staffs in the mode which would be most advantageous to the public.

MR. SEYMOUR FITZGERALD said, he thought that the hon. Member for Bradford (Mr. W. E. Forster) had scarcely contemplated that the question which he had raised would have opened up such complicated and difficult questions as those they were now discussing. Of the three recommendations which were made by the Committee which inquired into this subject two were of some importance and the third was of trifling consequence. It was with the third only that the Foreign Office had made any attempt to grapple; and he must say that the measure which they had adopted to meet the just complaint of the mercantile body was a mere delusion. That complaint of the merchants was that great delay and inconvenience arose out of the communications between the Foreign Office and the Board of Trade. What were these communications? Despatches relating to political matters were sent to the Under Secretary of State for the political department, and commercial matters were forwarded to the Board of Trade. Instead of these despatches going to the political department, it appeared that they were now to go to a special division in the Foreign Office, and to be by them forwarded to the Board of Trade. Instead of giving increased facility, this would very often be the cause of increased delay. It was the merest clerk's works to send these despatches from the political department to this commercial department of the Foreign Office, to be by them forwarded to the Board of Trade. If nothing but that had been done, it was the greatest sham in the world, and all the old evils would exist unchecked under such a system. A much larger question, however, had been opened up in the debate. A general feeling had been expressed that the consultative department of the Board of Trade ought to be done away with, and that a similar department in the Foreign Office ought to be substituted. He was sorry he could not agree with the views expressed by his hon. Friend the Member for Stamford (Sir Stafford Northcote) and other Members on this subject. In his opinion the real remedy lay in exactly the opposite direction. His belief was that the best remedy would be found in strengthening the Board of Trade, and making it that important Board of Trade that should be adequate for all purposes. There were questions of foreign trade which must necessarily be dealt with by the Foreign Office, and it was impossible to deal satisfactorily with questions of foreign trade legislation, unless the Department was acquainted with the necessities of the home trade. If they created a Department in the Foreign Office, and it was necessary for the Department to consult the Board of Trade in regard to the wants of the home trade, how had hon. Members advanced their cause? This was not a question of statistics. Very often questions arose in which a course which would benefit one class of our manufacturers would injure another. It was impossible for the Foreign Office to deal with such questions. The hon. Member for Brighton (Mr. White) talked about the Foreign Office being in a position to receive the remonstrances and complaints of the commercial body. But what caused those remonstrances and complaints? They had nothing to do with our commercial legislation. They were all free traders in that House now, with very few exceptions; but many years would elapse before all the other countries of the world would be free traders also; it would therefore happen that the regulations of foreign tariffs and foreign trade would sometimes press heavily on the merchants of this country. We must have somebody to deal with them, and that body must be well acquainted with all the requirements of trade and manufactures. The hon. Member for Leeds (Mr. Baines) appeared to think that all that was wanted was the application of the most favoured nation clause. There was nothing that better exemplified the necessity of the interference of some Governmental Department than that very clause. A country in giving an advantage to some other, as in the case of the treaty between France and Belgium, stipulated most strictly for the exclusion of certain other Powers, and it was the manufacturing subjects of these very Powers who wanted to be put in the same favoured position. Until the day came when our free trade principles were adopted generally throughout the world, we must have some Department of the Government charged with the interests of our manufacturers, and able to protect them. As he had said before, the practical solution of the difficulty was to strengthen the Board of Trade, and this view he had taken during the whole of the sittings of the Committee. Many witnesses thought there should be no communication between our Foreign Ministers and the Board of Trade, except through the Foreign Office. It was said that no public servant abroad ought to owe allegiance to two masters. He could not, however, admit that if our Foreign Ministers communicated direct with the Board of Trade on matters strictly within its province they could be said to have a divided allegiance, nor was there any reason why there should be a conflict of jurisdiction. The best proof was to be found in the French Treaty. The Foreign Office decided that a fit and proper time for negotiating a commercial treaty with France had arrived. With such a decision the Board of Trade ought to have nothing to do. The hon. Member for Rochdale (Mr. Cobden) was sent to negotiate the treaty; but did he communicate with the Foreign Office? No; all communications went to the Board of Trade, or else the hon. Member communicated direct with the commercial bodies interested. The result was most successful. He thought that all information required relative to trade, crops, &c., should come direct from the Consuls to the Board of Trade, instead of passing through several hands, and his opinion was that communications from the Consuls abroad to the Board of Trade might be conducted without mischief, and more satisfactorily to the commercial body at home. The real practical remedy for the evils complained of was to be found not by overburdening the Foreign Office with an amount of work which it could not accomplish with its present staff, but by strengthening the Board of Trade, and establishing direct communication between the Government and the commercial body throughout the country.

Mr. CHEETHAM concurred with the hon. Member for Horsham in thinking that the step taken in this matter was in the wrong direction, and that the proper course would have been to strengthen the Board of Trade, instead of transferring the burden to the Foreign Office. Our Consuls abroad should be taught that their chief was not a political but a commercial chief. The right hon. Gentleman the Member for Calne (Mr. Lowe), and the hon. Member for Brighton (Mr. White), seemed to think that the manufacturers of this country wished Her Majesty's Government to go over the face of the earth contracting commercial treaties. But they did not desire any such thing. What they expected was that where other countries, which were not free traders, were making commercial treaties with one another, our functionaries should be there to watch over the commercial interests of this country.

Mr. BAZLEY considered that the objections of the right hon. Gentleman the Member for Calne, and also those of the hon. Member for Brighton, might be urged with greater effect against any other Department of the Government than the Board of Trade. As one of the Committee, he regretted that their conclusions were not in strict conformity with his own views upon the subject. He considered that they should strengthen the Board of Trade, so as to render that Department capable of taking cognizance of the whole commercial enterprise of the Empire, and become what it ought to be, the great organ of industry in this country. The Board of Trade should not confine its functions to railways merely or works of a similar kind; it should either change its name or become the great organ of the industry of the country. Why should they not have an Agricultural Department connected with the Departments of Trade and Commerce. The Board of Trade, as now constituted, was a very useful Department, and obtained a vast amount of very useful information, and it might be made much more useful if its constitution would admit of it.

METROPOLITAN POLICE RATE.

OBSERVATIONS.

Mr. COX said, he wished to call the attention of the House to the large increase in the amount now paid by the metropolis for Police Rate; and to ask the Secretary of State for the Home Department, to what purpose such increased payment is applied. A rate was generally supposed to mean the levying of a sum of money having regard to two circumstances—first, the amount of money required, and next, the amount of property upon which it was to be levied. Unfortunately that was not the mode adopted for the metropolis with reference to the police rate, but it was an arbitrary rate, and the inhabitants were bound to raise the sum demanded, whether the amount produced was required or not. He would call attention to the Act of Parliament under which the police rate was levied in the Metropolis, because the case turned entirely on the words of the Act,

The Act stated—

> "That the Sum to be paid for the Purposes of the Police under this Act shall not exceed in the whole in any one Year the rate of Eightpence in the Pound on the full and fair annual Value of all Property rateable for the Relief of the Poor within such Parish, Township, Precinct, or Place, such full and fair annual Value to be computed according to the last Valuation for the Time being acted upon in assessing the County Rate."

They had, however, been going on paying 6*d.* in the pound on a former assessment without knowing how the money was expended. The police had not been increased, and their visits were like angels' visits, "few and far between," and the money had been paid hitherto with content without knowing whether or not they got full value for their money. Within the last eighteen months, however, there had been a new assessment of the county, and they now found that the ratepayers were called upon to pay 6*d.* in the pound police rate on an increased valuation of £1,978,000. By a Return that had just been made of the parish of St. Mary, Islington, the increased payment in that parish had been at the rate of 12½ and 13 per cent. Now, perhaps he should be told that that was an increasing parish, and that the increased payment was owing to the increased valuation of the property; but he found that in another parish where no increase had taken place in the value of house property the police rate had increased 10 per cent during the last two years; yet, for all that, they had not received an extra policeman to protect their property. The result was that the metropolis was called upon to pay nearly £25,000 for police rate more than was paid in 1863; yet, so far as he knew, the police had not been increased, neither had burglaries or crimes diminished during that period. £25,000 would pay the interest upon a large sum of money. His hon. Friend the Member for Greenwich (Mr. Alderman Salomons) wished to put another penny tax upon coals in order to free the bridges of the metropolis; but the £25,000 of which he had spoken would go a good way to pay the interest of the money raised for that purpose.

MR. AYRTON was of opinion that the matter adverted to was of great importance and deserved the serious consideration of metropolitan Members, for the condition of the metropolis in respect to police arrangements was of an extraordinary kind. It was many years since the experiment of the Metropolitan Police began by the substitution in a few parishes of policemen for the parish watchmen, under the control of a Commissioner. The system had worked well; but when the Metropolitan Police went to Temple Bar, they found their functions obstructed by the charmed wall of the City and the Commissioner, and then naturally looked to the extension of his power in another direction, and, step by step, they had taken possession of territory which reached to the enormous extent of 687 square miles, and included a population of 3,100,000 persons, and comprised parts of Middlesex, Hertford, Essex, Kent and Surrey. In the heart of this district there was a spot reserved for the antiquated prejudices of the City of London, and the operations of the Metropolitan Police were thereby disorganized — the county of Hertford had an excellent police of its own and so had the counties of Kent and Surrey, and he saw no necessity for cutting off portions of those counties and placing them under the control of the Metropolitan Commissioner of Police. He thought that to make the Metropolitan Police efficient would be to divest the Metropolitan Commissioner of Police of those outlying districts, and give him that district in the heart of his territory, the separation of which from his jurisdiction interfered with the due execution of the functions of the police. The hon. Member for Finsbury (Mr. Cox) complained of the expense of the Metropolitan Police; but the City of London kept up a more expensive police, and made the whole force under the Metropolitan Commissioner discontented with their position. If the police forces were amalgamated and the extra expense of the City police were distributed among the whole body, the best policeman receiving increased pay as a reward, it was not likely that the houses of merchants in the City would then be sacked, and the City of London given up to depredators who, when they had completed their raid, retired from the jurisdiction of the City Police. What was wanted was a police force acting over a more limited area, and with efficient supervision. There was an abundance of police in the metropolis. While in Manchester there was a policeman for every 780 inhabitants, in London there was one for every 423. Notwithstanding this, it was said that a policeman was not to be found in Islington. That might be because Islington was a virtuous place, and did not require police protection. He hoped the Secretary of State would turn his attention to the question, though it was difficult to make any reform which affected the City of London, for if any improvement in the concerns of the City were contemplated the civic authorities immediately sent a circular to all the rotten corporations in the country, and got them to present petitions to that House against the dreadful attack which was represented as about to be made upon the franchises and liberties of the country; and the result was that the country was induced to believe that some design was in progress against our liberties—all because it was proposed to improve the metropolis by getting rid of some abuse belonging to a bygone day. He was quite sure that if the Secretary of State were to give to the City corporation some assurance that the thoroughfares would be kept clear whenever a civic show passed along, their opposition to the amalgamation of the police forces would be very much modified.

MR. ALDERMAN ROSE rejoiced that the hon. Member for the Tower Hamlets (Mr. Ayrton) had been afforded an opportunity of giving vent to his views for what they were worth. He had suggested that the Chief Commissioner of police, having at present a jurisdiction extending over 687 square miles of area and a population of 3,100,000 inhabitants, should be relieved from his authority over outlying portions of Kent, Hereford, Essex, Surrey, and Middlesex, those counties having police of their own, and that he should be confined to the immediate jurisdiction of the metropolis. He (Mr. Alderman Rose) on the contrary, believed that the competition between the Metropolitan and City Police forces tended to their efficiency; and if the City were deprived of its local management with regard to the police, the result would be that the City of London would be added to the metropolitan area, and that this would constitute a great public calamity. They both acted in harmony, and the fact that they had succeeded in discovering and tracking out persons engaged in recent burglaries proved that the existing police arrangements worked well. The owners of valuable property in the City of London did not hesitate to deposit it in insecure premises; and not only that, but they let out other parts of those premises to four, five and six other tenants who left them unoccupied at nights, and for thirty-six hours together. They sometimes also left keys hanging near gas lights, and locked up their premises most insufficiently. Was it to be wondered, then, that with the amount of burglarious skill existing in the metropolis, and with thirty-six hours of uninterrupted possession, thieves should break through and steal? As to the principal burglaries which had lately taken place in the City, in one instance the police had given eight separate warnings to the man who was robbed that his place of business had been insecurely left. When persons neglected ordinary precautions in that way, they themselves, and not the police, were to be blamed. As to the corporation of the City having on former occasions, when its rights were attacked, appealed for assistance in defending them to the other corporations of the country, he would only say that it had made those appeals successfully, and he believed that, if necessary, it would make them again, with the like results. He did not think the country would ever submit to have a Minister of Police, with from 8,000 to 10,000 men, armed, drilled, and organized, placed under his control, and who would be amenable to the Government only and not made directly responsible to that House. The army and navy were continued by the Mutiny Act from year to year so as to bring them under the control of Parliament. Moreover, local supervision and local self-government afforded better guarantees for an efficient police system than an organization too highly centralized, and managed by one Commissioner, who in many cases was perfectly unapproachable.

MR. WHALLEY thought that before the Home Secretary listened to any suggestions for extending the jurisdiction of the Metropolitan Police, he ought to take into account the fact that the army of police exercised such a terrorism over the magistrates who administered justice in the metropolitan districts, that those gentlemen, having repeatedly remonstrated in vain against the arbitrary conduct of the force, had abandoned in despair the attempt to stand between the police and the public. Any extension of the metropolitan police was as opposed to the feeling of the public as it was hostile to the spirit of the Constitution, and it was essential, before any further expenditure was sanctioned for that object, that additional securities should be taken for the prevention of the abuses to which he had referred.

SIR GEORGE GREY said, he would not now enter into any discussion as to whether the City and the Metropolitan Police should be amalgamated. He must, however, say that he thought he had some reason to complain that the hon. Member for Peterborough (Mr. Whalley) should call upon him night after night to defend the conduct of the metropolitan magistrates from his unjust censures. The hon. Member said that these gentlemen had totally abandoned their duty.

MR. WHALLEY explained that he had not complained of the magistrates, but simply mentioned what they had stated.

SIR GEORGE GREY said, he could not tell what the magistrates might have said to the hon. Member; but in the discharge of their public duties in their courts they were constantly reported as expressing the opinion that for one case in which they had to find fault with the police—and they certainly did not spare them when they were to blame—there were ten cases in which they spoke of the admirable manner in which the police acted. To state that the magistrates were influenced by a terror of the police was to cast a most undeserved reflection upon them. The hon. Member for Finsbury (Mr. Cox) had correctly stated the principles and regulations under which the police rate was raised. The increase in the rate arose from the increase in the number of houses and streets which daily took place, and also from the new assessment which had lately come into operation. The increased rental of the metropolis was £1,978,000, about one-half of which arose from the new assessment, and the other half from the increased number of houses. There had been a difficulty experienced in getting men to enter the force; and some of their best men had been anxious to enter the City Police, whose pay was somewhat higher. It had therefore been requisite to increase the pay of the sergeants and constables 2*s.* 6*d.*, 1*s.* 6*d.*, and 1*s.* per week respectively; thereby creating an additional charge of £19,600. He hoped this increase would be the means of inducing good men to enter the service. Another £8,595 had also been required for an increase in the strength of the force. He understood the hon. Member to complain that, although owing to the increase of houses in particular districts, there had been an increase of rating, there had not been a corresponding increase in the number of police; but he did not understand him to say that those districts were insufficiently guarded or inadequately watched. Any representations on the subject he felt certain would have the immediate attention of the authorities. With regard to the question put by the hon. Member for the Tower Hamlets (Mr. Ayrton) as to the jurisdiction of the Commissioners of Police, he might state that it would be extremely inconvenient if the different counties to which the limits of the metropolis extended were erected into separate police jurisdictions. When members of the metropolitan force were found at distances of fourteen or fifteen miles from the metropolis, they were always placed there at the wish and for the convenience of the residents themselves.

CIVIL SERVICE ESTIMATES.

QUESTION.

MR. AUGUSTUS SMITH said, he would beg to ask the Secretary to the Treasury, When the Civil Service Estimates will be laid upon the table. He must complain that, notwithstanding the distinct recommendations of Committees and the remonstrance of individual Members, the Civil Service Estimates were always kept back to a much later period than those affecting the Naval and Military Services, Class 6 of the Civil Service Estimates had, indeed, been issued that morning, but there was no appearance of any of the other Classes. The Vote on Account, also, which it was intended to ask for, was in a novel form, for it did not disclose towards which of the Classes the Vote on account was to be applied.

MR. PEEL said, he could assure the hon. Gentleman that the Treasury was anxious that the Civil Service Estimates should be presented at as early a period of the Session as possible; but it should be remembered that they were divided into a large number of Classes, each Class comprising a great number of Votes, and each Vote a great number of items. These Estimates had of late years been presented much earlier than they were some years ago, the whole being laid on the table during the month of March. With regard to the Votes on Account, he must observe that what had just been complained of arose from the complaints of hon. Members of the practice of paying the expenses of different Departments of the Civil Service out of balances from previous Votes. Those balances were now surrendered year by year, and a Vote on account was necessary to enable the Treasury to meet expenses as they arose. He was not aware, however, of any difference between the course pursued this year and that pursued last year.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY.

Supply *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Monday* next.

UNION OFFICERS (IRELAND) SUPERANNUATION BILL—[Bill 53.]

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Robert Peel.*)

Mr. GEORGE said, he thought that in common fairness the Bill ought to be postponed until the Finance Committee had made their Report. He objected to the Bill. Optional modes of taxation were practically obligatory, and he much feared that the guardians would put in force the power of superannuation. The permissive form of the Bill was simply delusive, and he strongly maintained that this measure should be postponed until the Bill of the hon. Member for the King's County (Mr. Hennessy) had come before the House.

Mr. POLLARD-URQUHART also urged that further time should be given for consideration of the Bill on the ground that this was not a time for unnecessarily increasing the burdens of Ireland.

Mr. BAGWELL said, that this was not the only Bill before the House for increasing the burden of Irish taxation, and supported the recommendation for postponing the present measure. The Poor Law Commissioners would not practically act as a corrective of unnecessary superannuation. He would limit the superannuation to men after twenty years of service, but should like to do away with superannuations altogether as leading to improvidence on the part of expectant recipients.

Mr. HENNESSY said, the House had over and over again decided in favour of the superannuation principle, which had worked admirably. If he had any objection to the Bill it was that it did not go far enough. He hoped the Bill would have the support of the majority of Irish Members.

Sir ROBERT PEEL said, he believed the principle of superannuation was now universally admitted. He should have preferred his former Bill, because it dealt with the subject in a more liberal spirit; but after the course of legislation in England he did not see how they could refuse to apply the same privilege to Ireland. He had received from almost every Poor Law Union in Ireland recommendations that it should be proceeded with. He had before consented to postpone the Bill for a week to meet the convenience of the Irish Members, and he thought it his duty now to press the second reading to a division in order to test the feeling of the House on the subject. A more fair, just, and equitable compensation could not, he believed, be devised for persons who had devoted all their time to the services of the unions.

Lord JOHN BROWNE thought it was right to give pensions to Poor Law Officers of the various Unions in Ireland, but he thought that this Bill was not so good a Bill as that which was introduced two years ago. He thought that the certainty of a pension, as was proposed to be given under the former Bill, would enable them to get a good class of officers; but under the present Bill the granting a pension was made optional, and he did not think that the mere chance of a pension would have that effect. The first clause of this Bill defined the officers who were to receive pensions as those who devoted their whole time to the business of the union. This would shut out most of the clerks of the Boards of Guardians, which would have an injurious effect. He should vote in favour of the second reading of the Bill, but he hoped that in Committee the first clause would be altered so as to include the clerks of unions.

Colonel DICKSON did not see why there should be so much objection to this Bill. He thought, however, the Bill should include the clerks of unions and the medical officers.

Mr. BLAKE said, if this Bill were read a second time, there was nothing to prevent the pensions of the clerks and medical officers being hereafter thrown on the Consolidated Fund. He thought the Bill would have this good effect, that it would induce many old officers to retire, who were unable from age effectively to perform their duties.

Mr. MAGUIRE supported the Bill, and was glad to see the right hon. Baronet pressing on the House so useful a measure.

Colonel DUNNE said, he was ready to let the Bill pass the second reading, but he hoped it would be rendered intelligible, and that the Committee should be put off to a distant day.

Mr. HASSARD asked, if the medical officer devoted his spare time to following the practice of his profession generally, he would be excluded from the benefit of the Bill?

SIR ROBERT PEEL said, in answer to the questions put to him, that the Bill related to servants of unions who had devoted their whole time to the service; that included the master, the mistress, the schoolmaster, and the paid nurse. Those officers who had not devoted their whole time to the duties required of them would not receive superannuation. In reply to another question he begged to say that, if desired, he should not object to introduce a clause giving superannuation to officers who were incapacitated by infirmity.

Question, "That the Bill be now read a second time," put, and *agreed to.*

Bill read 2°, and *committed* for *Tuesday* next.

BANK NOTES ISSUE BILL—[BILL 12.]

COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER said, he proposed to introduce four alterations into this Bill; one with regard to the reduction of the per-centage from 45 to 25; another relating to the reduction of the number of years from twenty-five years to ten; a third with respect to the bankruptcy of banks under this Act; and a fourth providing that the privileges permitted to banks beyond the limits of forty-five miles, should not give them any power of issue within the forty-five miles.

House *resumed.*

Bill *reported; to be printed,* as amended [Bill 75]; *re-committed* for *Friday* next.

MUTINY BILL.

On Motion of Mr. DODSON, Bill for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, *ordered* to be brought in by Mr. DODSON, The Marquess of HARTINGTON, and The JUDGE ADVOCATE.

Bill *presented,* and read 1°.

EAST INDIA (GOVERNOR GENERAL'S POWERS, ETC.) BILL.

On Motion of Sir CHARLES WOOD, Bill to enlarge the Powers of the Governor General of India in Council at Meetings for making Laws and Regulations, and to amend the Law respecting the territorial limits of the several Presidencies and Lieutenant Governorships in India, *ordered* to be brought in by Sir CHARLES WOOD and Mr. BARING.

Bill *presented,* and read 1°. [Bill 76.]

EAST INDIA HIGH COURTS BILL.

On Motion of Sir CHARLES WOOD, Bill to extend the term for granting fresh Letters Patent for the High Courts in India, and to make further provision respecting the territorial jurisdiction of the said Courts, *ordered* to be brought in by Sir CHARLES WOOD and Mr. BARING.

Bill *presented,* and read 1°. [Bill 77.]

CHEMISTS AND DRUGGISTS BILL.

Acts read; Resolution *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill to regulate the qualifications of Chemists and Druggists.

House *resumed.*

Resolution *reported.*

Bill *ordered* to be brought in by Sir FITZROY KELLY, Mr. KINGLAKE, and Sir STAFFORD NORTHCOTE.

Bill *presented,* and read 1°. [Bill 78.]

TAXATION OF IRELAND.

Select Committee *nominated:*—Colonel DUNNE, Sir EDWARD GROGAN, Mr. LONGFIELD, The O'CONOR DON, Mr. HENNESSY, Sir FREDERICK HEYGATE, Sir GEORGE COLTHURST, Sir ROBERT PEEL, Sir STAFFORD NORTHCOTE, Mr. HOWES, Mr. HANKEY, Mr. LOWE, and Mr. BANKS STANHOPE:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at One o'clock,
till Monday next.

HOUSE OF LORDS,

Monday, March 20, 1865.

MINUTES.]—PUBLIC BILLS — *First Reading*— Colonial Naval Defence * (39); Metropolitan Main Drainage Extension * (40).
Third Reading — Industrial Exhibitions * (28), and *passed.*

NEW COURTS OF JUSTICE.

MOTION FOR RETURNS.

EARL STANHOPE, who had given notice to put a Question to Her Majesty's Government as to the Site proposed for the new Courts of Justice, and to move for a Return upon the subject, said, he had been desirous of postponing the Questions which he wished to put with respect to this subject to the Government until after the second reading of the Bills fixing as well the site of the new courts as the fund out of which the expense of their construction was to be defrayed. But as the noble and learned Lord on the Woolsack had twice postponed the second reading of one of the Bills, he thought it right to defer the matter no longer, for it was in his opinion expedient that the plans and estimates for the proposed building should be laid on the table with the least possible delay, so that their Lordships might have time carefully to consider them. Assuming that the House should concur in the view that there must be new courts of law, and assuming the financial part of the scheme as being already settled, then the question arose, which was the best site to select for the purpose. The site recommended by the Government was that behind the church of St. Clement's Danes, and the space obtained by the removal of the block of houses between Carey Street and the Strand. When he heard that this site had been chosen, he must confess he felt some surprise, because he could not understand on what ground the superior advantages presented by the Thames Embankment had been disregarded. For his own part, he could not help thinking that that portion of the Embankment lying between Somerset House and the Temple would have formed, in all respects, a better site. He would beg their Lordships to consider for a moment how noble a situation it would be in an architectural point of view. If a building were constructed such as the importance of the occasion demanded, and it rested on the banks of the river, with Somerset House on the one side and the Temple on the other, it would possess a river front of a beauty with which not many other river sites in Europe could advantageously compare. But if, on the contrary, the new courts were erected where a block of houses now stood, surrounded by other blocks of houses, the building, whatever its architectural beauty might be, could not be seen to advantage. He was extremely anxious, he might add, that the error which had been committed in the case of St. Paul's should now be avoided. Our ancestors, in constructing two centuries ago that beautiful Cathedral, took no pains to provide that it should be surrounded by an open space, and the result was that it was encompassed on almost every side by blocks of houses; so that if in comparing St. Paul's in London with St. Peter's in Rome we felt obliged to admit that there was some degree of inferiority in an architectural point of view, we should be compelled to acknowledge that there existed a far greater inferiority arising from the fact that, whereas St. Peter's was surrounded by an open space, the spectator could only contemplate St. Paul's by looking up at it from a narrow street running beside it, at the imminent danger of getting a crick in his neck. Now he thought it most desirable that the noble opportunity for grand architectural effect afforded by the Thames Embankment should not be neglected; and, perhaps the plan of the Embankment being of recent origin, the opportunity had escaped the notice of those Gentleman who had been formed into a Commission to consider the subject some years ago, and who had presented a Report in favour of the Carey Street site. It might, however, be contended that the convenience of suitors and the public rendered it expedient that the Carey Street site should be selected. But would the Thames Embankment site be inferior in that respect? It would be as it were next door to the Temple. No doubt it would be somewhat further from both Lincoln's Inn and Gray's Inn. That disadvantage might, however, be more than compensated by other circumstances. The Carey Street site could only be approached through crowded streets and lines of traffic, whereas the site on the banks of the Thames would for many reasons be very convenient; it would have the great advantage of making the new courts accessible by means of water communication, which afforded great facilities in a city whose thoroughfares were thronged, and more especially during the business hours of the day. So far as the public convenience was concerned, therefore, he by no means thought it clear that the advantages of the Carey Street site were so much greater as some seemed to suppose, while the architectural advantages were indisputably all on the other side. A petition, emanating from the Metropolitan and Provincial Law Association, had been presented to their Lordships by the noble and learned Lord on the Woolsack a few nights ago in favour of the Carey Street site, and the petitioners adopted what he could not help regarding as a somewhat unusual tone, for while they expressed their approval of the application of the fee fund to the building, and of the Carey Street site, they declared that they should protest against the money drawn from the Suitors' Fund being laid out in any other locality. Such an expression was scarcely becoming in the form of a petition; it was more in the nature of a threat. Neither their Lordships nor the other House of Parliament would, however, he felt assured, be in consequence deterred from giving to the question all the consideration which it deserved. He must express a hope that such plans and statements would be laid before them by the Government as would enable them to arrive at a sound conclusion. He was the more anxious to direct timely attention to this subject on account of the unsatisfactory result of several public builings throughout London. The comparison between this and the continental capitals was by no means always favourable to us. While we had some pecuniary resources which Munich and Berlin might envy, we had some public buildings of which Munich and Berlin would be ashamed. In saying thus much he was by no means unmindful of the great architectural beauty of the edifice in which their Lordships were assembled; but there were others to which public opinion did not accord the same degree of praise. Among the latter were, for instance, the building in Trafalgar Square, devoted to two national collections of pictures — the ancient and the modern — a building with a slender cupola at the top and two pepper-boxes at the sides. The construction of our public buildings, even in those cases in which public competition had been invited, had not always been satisfactory, and every means should, he thought, be taken to make the new courts worthy of the country. The deficiency which he had just mentioned as prevailing in London was the more remarkable, inasmuch as it did not seem invariably to exist in other parts of the kingdom. He happened to have examined a few months ago very minutely the Courts of Justice which had recently been erected in Manchester, and a more admirable building in every respect—whether its external appearance or the convenience of its internal arrangements were taken into account—he had never seen. If, as he had heard, an architect had been already selected for the construction of the new London Courts, he could form no better wish for that gentleman than that he might be able, equal —for to exceed would be scarcely possible —those new Courts at Manchester. Apart from architectural beauty or conversion, there was another question involved in the Carey Street site. It must be borne in mind, in the case of the site which had been chosen by the Government for the courts in London, that the displacement of a number of small tenements must be the result of its selection. That point, however, was separate and distinct; he would not engage in it at present; and he hoped that in raising this architectural question their Lordships would not think that he had trespassed unduly upon their time. The noble Earl concluded with his Motion.

Moved, That there be laid before this House,

"Copies of the Plan or Plans which have been suggested for the Site and Buildings of the proposed Courts of Justice: And also,

"Return of the Number of Houses and of the Names of the Streets, Lanes, and Places, and Courts comprised in the Site to be purchased for the purposes of the same."

THE LORD CHANCELLOR: My Lords, I will first advert to the impression which seems to be entertained by the noble Earl, that some architect has already been appointed to devise plans for the building of the Courts of Justice. It is entirely new to me to hear such a statement; and I believe I am quite warranted in stating that not only has no person been thought of for such an office, but in truth there is in the Bill a provision for the appointment of a Commission to superintend all the architectural plans and details; the constitution of which Commission will, I think deserve the very serious attention of the Government. I cannot but think, with great deference to the noble Earl, that he has adopted a very inconvenient course in raising the discussion at the present moment. I have postponed the second reading of the Bill relating to the financial part of this plan, which has been for some time upon your Lordships' table, because the other Bill, which relates to the site, has not left the House of Commons, and I thought it desirable that your Lordships should have the entire scheme before you; and the other night, in answer to a question put to me by the noble Earl below me, I promised that all the evidence which has been or may be taken by the Committee of the other House upon the question of site shall, with the Report of that Committee, be laid upon your Lordships' table. If, therefore, I now advert to the subject, it will be only in a desultory and insufficient manner, and purely out of respect to the noble Earl who has brought forward the subject. The noble Earl appears to think that the site afforded by the Thames Embankment would be very superior to that which has been fixed upon by common consent and contemplated as the proper site for the Courts for the last thirty-five years:—but if the noble Earl will do me the favour between this evening and the day fixed for the future discussion to visit the locality, I am quite sure that he will change the opinion which he now seems to entertain. If I am not misinformed, the case with respect to the Embankment will be found to be this:—The portion of the Embankment which some persons have thought might be appropriated as a site for the Courts of Justice, lies between the eastern extremity of Somerset House and the Temple. If the noble Earl will examine that situation, he will find that, supposing these new buildings to be raised in a line with the façade of Somerset House—and if they are not you will create a great architectural deformity—they will only extend for a very few feet upon the Embankment itself, and then all the rest of the 7½ acres which will be absolutely required for the site of the new Courts can be obtained only by purchasing at a very great expense a number of houses occupying the southern parts of several streets belonging to the Duke of Norfolk, the acquisition of which would cost a considerably larger sum than that which will be required for the purchase of the Carey Street site. I must say that if there was any proposition to build the Courts upon the site suggested by the noble Earl, it would be exceedingly difficult to find a reason for appropriating to their erection that million of money which it is now proposed to take from the Suitors Fund; but into that discussion I will not enter now. If the noble Earl will examine the proposed site, he will find that both architecturally and, and with reference to the convenience of arrangements, the slope of the Carey Street site offers very great facility indeed for the erection of the Courts and for the provision of internal accommodation. I do not think that it would be possible to find another block of land the occupation of which by the proposed building would insure to the metropolis such great advantages as are presented by this site, But your Lordships must also remember that the site has been selected, and the work is proposed to be done for the general benefit of the country by the greater accommodation which will be afforded to suitors in the Courts, and the economy which will thereby be effected. That can only be accomplished by choosing a site which is in the immediate neighbourhood of the offices of solicitors, the chambers of barristers, and all those additions to Courts of Justice which have grown up and are now established in that neighbourhood, and which you could not have upon the Thames Embankment; and, therefore, by adopting that site you would, merely for the sake of an architectural fancy, deprive the country and the profession of all the advantages which are offered by the site which, as I originally observed, has by common consent been appropriated to the purpose for a considerable period of time. It has received the approval of a Commission which was issued when the noble Earl opposite (the Earl of Derby) was at the head of the Government, and also that of a Parliamentary Committee, and I think I may say that no man who examines it will come to a different conclusion. In reply to the particular subjects of the Motion made by the noble Earl, I must first state that there are no plans for the building of the proposed Courts: Any plans which may be proposed must be the subject of consideration by the Commission which is to be appointed. As to the site, the noble Earl will find a very good plan deposited in the Private Bill Office. We have no better plan, or I would with pleasure produce it. With reference to the number of houses and the names of the streets, lanes, places, and courts to be pulled down, the noble Earl will find in the evidence which has already been taken the most full and satisfactory details. I believe they are given there with a fulness and precision greater than could be obtained in any Return. If the noble Earl will refer to that evidence, I will with great pleasure produce any Return which he may afterwards think necessary; but I think that upon examination he will find that all the information which he requires is there supplied.

The Earl of HARROWBY said, that although the site selected might have been the best that could be found thirty-five years ago, the construction of the Thames Embankment had rendered proper a reconsideration of the question. Viewed with reference to the architectural ornamentation of the metropolis, there could be no comparison between the two sites. That selected by the Government was situated in one of the most crowded parts of the metropolis and was entirely wanting in good means of access. The best access was by the Strand, but that was often blocked up; and on the other side there was no direct approach to Lincoln's Inn Fields except Queen Street, which was at one part very narrow. All the other approaches were mere crooked passages. It would be necessary, therefore, to add to the cost of erecting these buildings the expense which must be incurred in making suitable approaches to them. The late Sir Robert Peel was reported—he was disposed to think erroneously—to have described Trafalgar Square as the finest site in Europe; but certainly nowhere except upon the banks of the Arno was there to be found in any metropolis a site equal to that which would be supplied by the Thames Embankment. Nowhere was there to be found such a grand quay space in connection with such noble objects as the Houses of Parliament and the dome of St. Paul's. If the plan proposed by the Bill were carried out, with the exception of the Houses of Parliament, Somerset House, and the Temple, there would not be one building of importance to adorn the Embankment, which would be disfigured by the backs of the broken-down old houses and wharves abutting upon it. On the other hand, if the Thames Embankment site were chosen, the building for the Courts of Justice would form a noble ornament to that great work. One of the alleged advantages of the Government plan was that there would be easy communication from the Temple by means of a tunnel under Fleet Street; but what would enable the Temple to communicate easily with the Courts on the Carey Street site would afford the same facilities to the lawyers of Lincoln's Inn to communicate with the Courts on the Thames Embankment. It might be urged that the latter site was too far from Gray's Inn, but very little inconvenience would be felt were a passage made under Fleet Street. There were other reasons for not placing the Courts on the site proposed. Was it reasonable for instance, when they were obliged to make a new thoroughfare for the accommodation of the extensive traffic that passed east and west through the metropolis that seventy-two Courts of Justice should be planted in the most crowded part of the metropolis, while there was such an open space ready to their hands as the Thames Embankment would afford; in choosing the site for the proposed building its freedom of access must be taken into consideration, and he did not think that the Carey Street site, bounded as it was by Fleet Street and Lincoln's Inn, would be easy of approach. On the other hand, if the proposed building were erected on the Thames Embankment it would be accessible on all sides, and would be safe in case of fire or of public disturbance. Her Majesty's Government could not come before them and say that they had carefully considered the advantages of the respective sites, as they had simply adopted that which had been selected thirty-five years ago, and there had been no fresh consideration of the question since the Thames Embankment had presented itself. All these considerations, though not conclusive in favour of the site recommended by the noble Earl, were arguments in its favour, and he thought it very desirable that some further consideration should be given to the matter, either by a Committee of that or the other House of Parliament, and in some other way.

THE EARL OF LONGFORD said, that with reference to the question of convenience, among the designs for the Thames Embankment submitted to competition was one by Mr. Newton, which possessed the advantage of ranging the whole of the new public Offices along its line, on which some of the finest of our public buildings, including the Houses of Parliament, Somerset House, the Temple, and the Custom House, were already situated. All these buildings would thus be connected by railway and by road, and the greatest convenience of access would have been afforded. The whole of the present public Offices were so badly designed and so ill adapted to the purposes for which they were intended, that he felt confident they would ultimately have to be removed and rebuilt according to the design of Mr. Newton, although that gentleman's design was not one that could be carried into effect in all its parts.

LORD REDESDALE said, he could not suffer the subject before the House to pass without expressing his regret that the Law Courts were to be removed from Westminster. It was the opinion of lawyers of former days that it was of the greatest possible importance to the legal profession that the Courts of Justice should not be in close proximity to their chambers, inasmuch as coming down to Westminster Hall to attend the Courts conduced to the more careful study of the law; and the late Lord Lyndhurst often expressed his regret at the idea of transferring the Courts from Westminster to another site. It was said, that there was inconvenience in the separation of the Courts from the chambers of council. But, if so, it was strange that this inconvenience should have remained for centuries undiscovered, and that counsel had not been induced for the last two centuries to concentrate their private residences in

Westminster. He believed that, in like manner, the public were gainers by the Members of the Legislature not residing in the neighbourhood of the House, so that they were able to run in and out as occasion required or fancy dictated. He doubted the policy of giving an architect seven acres of ground upon which to build, as he would be sure to waste the ground and make the building inconvenient. Their Lordships had often reason to complain of the unnecessary space which had been bestowed upon that House and its various offices. He also doubted the expediency of concentrating seventy-two Courts of Law under one roof. The character of the business of those various Courts was totally different, and the counsel who attended them were not engaged in the same branches of the law. No doubt the superior Courts might be advantageously concentrated, and the inferior Courts might also be brought together, but there was no necessity for placing both the superior and the inferior Courts under one roof. Another point of great importance was, that by the proposed change their Lordships' House of Appeal would be the only Court sitting at Westminster, and it would at some future time be alleged as a reason for altering their jurisdiction that it was inconvenient to attend a place so far removed from the other Courts of Law. He trusted their Lordships would never contemplate the possibility of giving up their jurisdiction as a Court of Appeal. Therefore, this was a matter which ought to be considered in sanctioning the contemplated removal of the Law Courts. He believed that there was ample space in the neighbourhood of Westminster Hall for the concentration of all the superior Courts. If the space at present occupied were found to be insufficient, there was more space in Palace Yard, and more still on the north side of Bridge Street, some of the houses in which it had already been determined were to come down for the purposes of the Thames Embankment and the bridge approaches.

Earl STANHOPE said, he would not press for the Returns; but he asked whether there were any objections to the plan which the noble and learned Lord had mentioned as being deposited in the Private Bill Office being circulated among the Members of the House.

The LORD CHANCELLOR said, there could not be the slightest objection to the production of the plan if the noble Earl moved for it. It was a very good plan; and he had no doubt it would answer every purpose.

Motion (by leave of the House) *withdrawn*).

Plan and Book of Reference deposited in the Parliament Office on the 30th November 1864. To be *printed.* (No. 41.)

House adjourned at a quarter past
Six o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, March 20, 1865.

MINUTES.]—Supply—*considered in Committee* —Army Estimates.

Public Bills—*Resolution in Committee*—Lahore Bishopric.

Ordered—Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation* ; Metropolitan Houseless Poor.*

First Reading — Drainage and Improvement of Lands (Ireland) Provisional Order Confirmation * [82]; Metropolitan Houseless Poor [83].

Second Reading—Marine Mutiny*; Mutiny*; Public Offices (Site and Approaches)* [55]; India Office (Site and Approaches)* [56].

Referred to same Select Committee—Public Offices (Site and Approaches)* [55]; India Office (Site and Approaches)* [56].

Report—Land Debentures* [79]; Land Debentures (Ireland)* [80]; Pilotage Order Confirmation* [81].

Third Reading—Consolidated Fund (£175,650)*, and *passed.*

NIGHT REFUGES (METROPOLIS).

QUESTION.

Mr. HANBURY said, he would beg to ask the President of the Poor Law Board, Whether he has received a Return concerning some of the Night Refuges in London, similar to that ordered (on the 10th of February last) to be made from each Workhouse in the Metropolis, and whether he would be willing to lay that Return upon the table of the House?

Mr. C. P. VILLIERS said, in reply, that there had been a document somewhat similar to the one referred to in the hon. Member's Question sent to the Poor Law Board, and if it was the pleasure of the House it could be laid on the table. It was not precisely similar to the Official Paper which he had recently presented to the House, and he could not himself answer for its contents.

ARMY—THE RIFLE BRIGADE AND WHITWORTH RIFLES.—QUESTION.

Sir FREDERIC SMITH said, he rose to ask the Under Secretary of State for

War, If he will lay on the table of the House the Reports of the Officers of the Rifle Brigade in reference to the Whitworth Rifles with which the men of the Brigade are armed?

THE MARQUESS OF **HARTINGTON** said, in reply, that he had no objection to lay on the table the Report, or rather the substance of the Reports, made by the officers commanding the Rifle Battalions so soon as they were all received. At present, however, Reports had only come in from four or five out of the eight battalions armed with Whitworth rifles, and if these were produced before the others were ready, an imperfect view might possibly be given of the efficiency of the weapon.

SIR **FREDERIC SMITH** said, he should be glad to know when the remainder of those Reports would be received.

THE MARQUESS OF **HARTINGTON** said, he could not tell.

WEST INDIA AND PACIFIC STEAMSHIP COMPANY'S MAIL CONTRACTS.

QUESTION.

MR. **CAVE** said, he wished to ask the Secretary to the Treasury, When the two new Contracts with the West India and Pacific Steamship Company for carrying Mails to Jamaica, &c., will be laid on the table?

MR. **PEEL** said, in reply, that only one contract had been entered into with this Company, of which a copy was laid on the table that evening. The contract was for the two services, and being terminable at six months' notice, had no clause suspending it until it had been one month before the House.

THE PATENT OFFICE—MR. EDMUNDS.

QUESTION.

MR. **HODGKINSON** said, he wished to ask the Secretary to the Treasury, Whether he will lay upon the table of the House a Copy of the Official Report made to the Commissioners of Patents in January last by Mr. Hindmarch, Q.C., and Mr. Greenwood, Q.C., the Commissioners appointed to institute inquiries in reference to the Patent Office Accounts, and which Report was subsequently communicated to the Treasury.

SIR **GEORGE GREY** said, that if the hon. Gentleman would move for it, the Report would be produced, together with other papers relating to the same subject. They were at present before a Committee of the other House; and that would occasion a little delay, but the delay, he apprehended, would be a very short one.

ROADS (SCOTLAND).—QUESTION.

MR. **LESLIE** said, he would beg to ask the noble Lord the Member for Haddingtonshire, Whether he intends to introduce, during the present Session of Parliament, a general Road Bill for Scotland; and, if so, when?

LORD **ELCHO**, in reply, said, it was his intention before the recess to move for leave to bring in a general Road Bill for Scotland. A Bill had, in fact, been drawn up, but as it did not, upon examination, appear likely to pass, it was thought advisable to recast the measure. This explained the delay which had taken place, but he hoped the Bill might be printed and issued in time to allow of its consideration in Scotland before Parliament re-assembled after Easter.

BRITISH PROPERTY IN THE CONFEDERATE STATES.—QUESTION.

MR. **GREGORY** said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether any and what steps are being taken to protect the property of British subjects purchased and paid for in the Southern States of North America before the commencement of the War where proof has been afforded of the *bonâ fide* nature of the transactions?

MR. **LAYARD**: Sir, I presume that the Question of the hon. Member applies more particularly to cotton. This cotton comes under two categories—that which has been destroyed by the authorities of the so-called Confederate States, and that which has been taken possession of by the Federal authorities. As regards the former, the Government have been advised that foreigners owning property in a country which is subject to such a war as that now existing in the Southern States of America are liable to all the accidents which may befall the property of persons belonging to that country, and if that property has been destroyed for the *bonâ fide* purpose of preventing it from falling into the hands of the enemy, British subjects who may be among the owners have no right to complain of such destruction. At the same time they have been requested to preserve authentic evidence respecting property so destroyed. As regards the cotton seized at Savannah, full particulars have not yet been received by the Government. It appears, however, that a large quantity of the cotton has been removed to the North, and it is stated that it has been so removed under the apprehension that it might fall into the hands of the enemy. Upon these grounds there is no doubt that the Government of the United States have a full right so to remove the cotton; but Her Majesty's Charge d'Affaires at Washington has been instructed to express a confident hope that no obstacle will be interposed to the claims of British subjects in respect of that cotton; that is to say, that every facility will be given to British subjects to prove their claim to British property thus removed by the Federal authorities to the North.

NAVY—GREENWICH HOSPITAL.

QUESTION.

SIR **MORTON PETO** said, he wished to ask, What were the intentions of the Government in regard to Greenwich Hospital?

MR. **CHILDERS**, in reply, said, he had last Session stated generally the intentions of the Government on this subject, and had explained that a joint Committee would arrange the details of the proposed measure, which would be brought before Parliament this year. The Committee in question was appointed, but one of its Members, Sir Richard Bromley, had been attacked by a dangerous illness, and had been for many weeks unable to attend to business. The Committee, however, had made its Report, which had been considered by the Admiralty and the Treasury, and he hoped very shortly to be able to state to the House the details of the plan, and introduce a Bill to carry them out.

THE IRISH CONSTABULARY AND THE GAME LICENCES.—QUESTION.

MR. **DAWSON** said, in the absence of his hon. Friend (Sir Hervey Bruce), he would beg to ask the Chief Secretary for Ireland, Whether he does not consider it would be advisable to give to the Constabulary, instead of the Excise, directions to prosecute such persons as shoot or sell game without a certificate or licence, as they have better means of obtaining information than the Excise, and already perform the duties of Revenue Police as regards spirits and fishery licenses?

SIR **ROBERT PEEL** said, in reply, that by the 6 *Will.* IV. the Irish Constabulary were prohibited from enforcing Acts for the preservation of game and fish, except in cases where there was reason to apprehend possible resistance or a breach of the peace. That prohibition had been withdrawn as regarded fish, but with respect to game the police were legally incapable of interfering in the manner suggested, and if they were authorized to interfere in the way proposed by the hon. Member, there would be danger of the Constabulary becoming gamekeepers, and that was a state of things that might lead to unpleasant results.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

GUNS FOR COAST DEFENCES.

OBSERVATIONS.

MR. **HENRY BERKELEY** said, that he rose to call the attention of the House to the possibility of a war with America, and to the absence of guns capable of protecting our coasts from the aggressions of a maritime power. It appeared to him that this country was not in a state to meet the occurrence of a war. It was a most dangerous thing to be without preparation. If they looked back to the last American war they would find that the disasters which happened were entirely caused by want of preparation. We had not ships, we had not guns, we had not crews to cope with those of the Americans. The consequence was that we lost frigate after frigate in the early part of the war, and the desertions of our sailors to the Americans were numerous. Just when the war was ending things were brought to the state of organization in which they ought to have been at the commencement. Look again at the difficulties with which Wellington had to contend at the time of the Peninsular war for want of preparation at home; if it had not been for the gigantic energy of the man the difficulties interposed might have proved almost insuperable. Wellington, at the end of the war, left an army complete in every department, such as England had probably never seen before, and which was admirable for the construction of its commissariat and of its waggon train. But what was done when that war was concluded? We let all the arrangements of Wellington go to the wall. We did not carry out any of the arrangements which he had made. The commissariat disappeared, the waggon train no longer existed. Nothing was talked of but paring down the army in order that the Estimates might cut a good figure in that House. Again, when the Crimean war broke out our Government was found unprepared. If anybody ever deserved to be impeached it was the Government of that day for their want of preparation. The disasters which befell the gallant British army on that occasion were without the least excuse. That fine body of men were left to die in the Crimea from actual starvation and privations, and the horses actually ate their own tails. Therefore, he felt it his duty to call the attention of the House to what the condition of the country would be if we were to drift into a war with America. It seemed to him possible, and even probable, that we might tide into a war with America. He must say he thought the American people were under a deep debt of gratitude to the Government and Houses of Legislature of this country for the perfect neutrality which they had preserved. If we had taken the part of the Confederates we should not only have been able to command the safety of the Canadas, but we should have stopped that spirit of "filibustering" which marked the Americans; we should have put a stop to the atrocious Monro doctrine, which was opposed to all International Law, and to civilization and civil liberty. A Federal American said to him the other day, "You could have thrashed us out of the shape of a nation if you had stood by the Confederates." He hoped the Americans would feel the deep debt of gratitude they owed to us for having acted thus. He confessed he could not help thinking that we had taken that course which might eventually lead us into war. We were allowing the Federals to enslave the Confederates under pretence of freeing the blacks, and we might disgust both parties, and induce them to join their forces in order to attack the Canadas. If war should occur, in what state were we who had not a gun to our back? Our guns had been properly described by the Americans as mere pea shooters compared with theirs. What was the use of our 8-inch guns against 11-inch guns? Suppose there were war, and that the *Kearsage*, with her 11-inch pivot guns were off our shores, what would be the state of our ports? We had not a fort armed with a gun fit to beat off this sloop of war. We had nothing of the sort throughout England. What was the use of an 8-inch gun against an 11-inch gun, or Sir William Armstrong's toys? The Volunteer Artillery were men able to take their part in defending their native shores; they were well instructed in gun duty, and they wanted nothing but guns; but where were the guns? They were armed with old 18-pounders; and what was the use of these or the 24-pounders against 11-inched rifled guns carrying enormous shells? Perhaps he would be told that it was not wanted that the Artillery Volunteers should have guns of their own, that they only received playthings for the purpose of drill at present, but that when a war and invasion occurred they would then be put behind those notable fortifications in which the noble Lord at the head of the Government so much rejoiced; but in modern warfare every military man that he had met with said those fortifications would be worth nothing. All the Volunteer Artillery were to be put behind walls, but with regard to a war with America this would not do. It was not the invasion of this country, but the danger to British property and our trade, that was to be apprehended. Our harbours and roadsteads, where merchant ships might seek refuge, ought to be protected with an adequate gun, but we had yet to find that gun. Notwithstanding all the farce of trials between Armstrong and Whitworth, we had not an effective gun, though the trials had lasted five years. Lords of the Admiralty and officers of the Ordnance went down to Shoeburyness, but returned just as wise as they went about the experiments. Had other Governments taken the same course? They had not. Ours was the only Government that seemed to think we ought to rest satisfied without any defence at all till this farce had been played out. The answer constantly was, "You must wait for Armstrong or Whitworth." What excuse could be offered for leaving our shores and harbours unprotected when, at the very small expense of rifling our 32-pounder guns, we might command the protection of our harbours. There had been offers to rifle guns at a very small cost, and he wished to know why that had not been done? Because Sir William Armstrong would not have it so. They must look to Sir William Armstrong and Mr. Whitworth to know what was to be done.

If we did glide into a war, we should have the cost of it doubled, besides suffering all that disaster and disgrace which must follow such bad management. In Bristol there was an admirable corps of riflemen, commanded by an excellent officer. There was likewise an admirable corps of artillery, commanded also by an admirable artillery officer, his hon. Friend the hon. Baronet opposite (Sir W. Miles) could testify to that. Nothing could be more effective than both these corps. What had they got to practise upon ? They had two or three old 18-pounder ship guns, which would not knock an old duck off her nest. They had also had presented to them four rifled 9-pounders, their range being about double that of the 18-pounders ; and those latter pop guns were to do the work of defending the entrance to the port. There was a battery erected at the entrance of the port upon which large sums of money had been expended, but it was not adequately armed or supported for the protection of the trade. In the event of a war with America the same thing would probably occur in regard to Bristol as had taken place during the last American war when the enemy came into the Irish Channel, and were engaged uninterruptedly for two or three days destroying British property before a proper ship of war was sent round by the British Government to protect mercantile interests. He had heard old merchants say that they then expected to see the Americans in King Roads, making havoc among our ships, and that if they had gone there they might have done as they pleased. If that could have been done then before the use of steam it could be done with greater ease now, and it was doubly necessary to guard against it. He only mentioned these facts to show how deeply necessary it was for us to be prepared against such a contingency. He had brought the question of guns and the armaments of our coasts under the consideration of the House, and he trusted that some hon. and gallant Gentlemen more competent to speak upon this subject would rise in their places and say that he had at least made out a case for the consideration of the Government.

Mr. PEACOCKE said, that he thought the hon. Gentleman was quite right in calling the attention of the House to the probability of a war with America, and to the defenceless state of our coasts. He (Mr. Peacocke) could not think that the probability of a war with America had been at all diminished in consequence of the remarks made in the course of the debate upon Canada. He must say he heard those remarks with infinite regret. He believed it was not the mode of avoiding a war with a powerful and unscrupulous neighbour to tell him that we were unable to defend our colony, which was likely in such an event to be the first attacked. He did not know whether the right hon. Gentleman the Member for Calne (Mr. Lowe) was a good authority upon military matters.

Mr. SPEAKER said, it was against the Rules of the House to refer to anything said in a previous debate.

Mr. PEACOCKE observed, that he had not said that those remarks had occurred in the course of a debate in that House. Well, he would simply say he heard that it had been stated, he would not say where or by whom, that Canada could not be defended by this country. It appeared to him that such statements were calculated to depress the courage and ability of the Natives to defend themselves, and he also believed that to tell the United States that we were unable to defend our colonies was not the way of warding off aggression from that country. At all events, he thought that they might consider the possibilities of a war with America, and that they could fairly argue as to the probabilities of such a war only by looking at the language used by the Ministers of America, as well as that of other authorities there. He would not allude to the wordy rhetoric of the multitude, but to the language used by persons in high authority in America. We heard the other day that General Dix, while commanding the Federal troops on the borders of Canada, absolutely ordered a force to violate the soil of Canada and to seize the refugees who had sought an asylum in that country. It was true the United States Government had not quite endorsed the language of General Dix, but it was equally true that General Dix was still retained in the command of the army upon the frontier. Again, on another occasion, in the harbour of Bahia, a pirate of the name of Collins, for he (Mr. Peacocke) could call him by no other name, thought fit to steal into the harbour at the dead of the night, and to sweep with grape shot an undefended and, he might almost say, unarmed vessel ; to attach a hawser to her and drag her out of the harbour—an act as contrary to all principles of International Law as if he had dragged her from an anchorage in the Thames. A captain in the service of the United States having so conducted himself, what was the language of the American consul at Brazil (Mr. Webb) when his attention was called to the outrage? That gentleman said that though he regretted that this unjustifiable action had been committed in a harbour of Brazil, he regretted still more that it had not been committed in one of the harbours of England. He (Mr. Peacocke) did not know whether the United States Government had actually prompted this language of their Minister, but they had certainly partly endorsed that language by publishing this despatch, and Mr. Webb still remained the American Minister at Rio. Then, again, no less a personage than the Chancellor of the Exchequer of the United States, Mr. Chase, in the classical language sometimes used in that country, observed that he desired to "give old Mother England a shake." He (Mr. Peacocke) did not know whether that language had been disapproved by the American Government, but Mr. Chase had not been dismissed—on the contrary, he had been promoted. Mr. Chase held at that moment the highest judicial position in the United States, and before him would be adjudged any questions of International Law that might arise between this country and the United States. Then, again, it must be recollected that no less a person than Mr. Seward, holding a position almost of greater political power than the President himself—in fact, he was the mayor of the palace—that gentleman had stated that he only waited for a favourable opportunity to arise to enforce the claims of the American Government upon this country for the ravages inflicted by the *Alabama.* They all knew what was meant by "a favourable opportunity." Now he (Mr. Peacocke) did not wish to raise any question as to the origin or career of the *Alabama,* but at all events it could not be denied that the *Alabama* left our shores an unarmed vessel. And when the hon. Member for Birmingham (Mr. Bright), who was manifestly well primed with a speech that evening, thought proper to attack the hon. Member for Birkenhead (Mr. Laird) for his connection with the *Alabama*—if the hon. Member (Mr. Bright) thought that our shipowners, merchants, and manufacturers were responsible for the ultimate destination of the goods they placed on board their vessels, and that they were bound against all contingencies, the hon. Gentleman (Mr. Bright) ought at least to have directed his phillipics against other Members of that House as well as the hon. Member for Birkenhead. There were other Gentlemen mixed up in these transactions who were Members of that House as well as magistrates and deputy lieutenants of counties, and perhaps they would explain to the hon. Gentleman what that meant. There were Englishmen who had made collossal fortunes by the sale of arms and ammunition to the United States Government. Why should not the hon. Member for Birmingham draw up a Bill of indictment against his own constituents, who he knew had carried on, and were still carrying on, a very considerable trade with the United States?

MR. SPEAKER said, the hon. Gentleman was out of order in referring to a former debate.

MR. PEACOCKE said, the rules of the House allowed him to ask the hon. Gentleman why he did not draw up a bill of indictment against his own constituents for carrying on this trade of munitions of war with the United States. He did not know that it was a fair and impartial observance of the principle of neutrality to refuse a single unarmed vessel to one belligerent, and to furnish tens of thousands of men and hundreds of thousands of stand of arms to the other for the purpose of enabling them to shoot down men who were struggling for independence and freedom. The hon. Member for Birkenhead ought rather to be held up as the greatest pacificator who had appeared on their stage during this struggle; and he (Mr. Peacocke) would tell them why. He presumed that hon. Members were sincerely anxious for the pacification of America and for a termination of this struggle. Now, it was evident that the American civil war could not be terminated but by one of two ways —by the extermination of the South or by the exhaustion of the North, and the consequent recognition of the independence of the South. Now, it was perfectly clear that in order to exhaust the Northeners, they must be made to feel the losses and privations of war. Up to the time when the *Alabama* appeared on the stage the New England States, who were the chief promoters and instigators of this war, had enjoyed an absolute immunity from its losses. But the *Alabama*—to an infinitesimal extent, no doubt—did inflict some injury on those States. When the people of the New England States were called upon to make the smallest sacrifices for the war, their leaders speaking of it as a sacred war undertaken for the liberty of the negro, they refused to shoulder a musket, and even provided substitutes for themselves in the ranks of the army at 800 dollars each paid them in greenbacks. The *Alabama* inflicted but trifling losses upon the New England States ; but what were those compared to the privations and sufferings inflicted upon the Southerns? Their stores had been ransacked, their cities set on fire, their homesteads burnt, and, worse than that, their families were handed over to a licentious soldiery. The other day General Sherman marched unopposed through the State of Georgia because the whole of the people of that State capable of bearing arms had been enrolled in the ranks of the Confederate army. Now, when we found a nation composed of seven or eight millions of whites so unanimous in carrying on the war for the purpose of achieving their independence, he (Mr. Peacocke) said it was impossible to subdue them, although they might be exterminated. If the latter be the humane policy of the great Peace party, it was possible that it might arrive at that result. He maintained, however, that such a result would be most repulsive to the feelings of the people of this country. He thought the people of England wished to be on good terms with the United States as with every other country ; but not to approach that country in the language of panic or alarm. He further believed that in this struggle our people entertained a generous sympathy for the sufferings and gallantry of those who were engaged in defending the Confederate cause.

Sir HENRY WILLOUGHBY said, that he presumed the hon. and learned Member for Maldon did not think that war with America was a desirable thing. They ought in that House to be extremely cautious about the style of language they adopted. If the United States had grievances to allege against this country, which might be very true, the less said about them here the better. On the other hand, if we had a grievance, or the Confederates had a grievance to complain of, those who were really desirous for peace between the two countries must be cautious in the eloquent summoning up of those awkward pieces of history which, in his opinion, could have no effect in producing peace and goodwill between the two Powers. Therefore, he did not intend to pursue the course of argument which had been used that evening, although it would be easy, no doubt, to adduce circumstances tending to produce irritation. At the same time, he should be glad to know from the noble Lord the Under Secretary for War (the Marquess of Hartington), who appeared to be the only military authority of the Government at that moment in the House, whether we had a gun which would suit the purposes described by the hon. Member for Bristol? He agreed with the hon. Gentleman, that whether this was a question of Bristol or Quebec, it was the duty of the Government to take quietly and silently those precautions which would at all events have the effect of at least protecting the subjects of Her Majesty from military insult. He thought that that might be done without producing delicate and dangerous despatches tending to produce that result which we wished to avoid. He assumed that the hon. Member for Bristol did not wish there should be a repetition of the same mistake as in the case of the 100-pounder Armstrong guns, by which 1,068 guns, after having been constructed, were found of no use whatsoever. Nothing could be more absurd than making costly guns unless the Government were satisfied that the plan of them was good. At the same time, it was desirable to know that we were in possession of an arm for the service of our ships and forts on which we might rely in case of necessity.

Mr. H. BAILLIE said, that he understood that the complaint of the hon. Gentleman opposite was this — that we had erected fortifications around our coast at an enormous cost of some millions of money, and that after all none of them were thoroughly efficient, and that some of them were mounted with old guns upon old rotten carriages. They were told the other evening that a similar state of things occurred at Quebec, where there were many old guns mounted upon rotten carriages, which were certain to break down upon the first discharge. Now, the same thing prevailed not only along our coast but on almost all our military stations. At Malta we had old obsolete guns ; and at Gibraltar and the Channel Islands we had obsolete guns. But, worse than all, we had obsolete projectiles. We had not been doing what every other nation had been doing—furnishing our fortifications with steel projectiles. The old cast-iron projectiles were of no more use against armour-plated ships than a number of Dutch cheeses. A friend of his informed him last year that he had the curiosity to make inquiries amongst the British manufacturers of steel projectiles as to the work they were doing, and requested returns of the different nations for which they were executing orders. The result of those returns was the discovery of the fact that those manufacturers were working for every nation in Europe—even for Denmark—except their own Government. It appeared that up to that time they had not furnished any of those projectiles to any, either of our ships of war or military stations. The noble Lord the Under Secretary for War asserted, as a reason why we had not obtained powerful guns, that Blakeley's gun was too expensive. That was an extraordinary statement, but it was a statement which appeared to have been cheered by some of the supporters of the Government. The noble Lord also stated that we must wait until war was declared, when we would have means at our hand, with a large Estimate, to procure the guns as rapidly as would be requisite to meet the emergency. Now, in regard to that statement, what was really the fact? One of the best of our establishments could not turn out a 600-pounder rifle gun in a shorter time than twelve months. If, then, we were hurried into a war, we should be twelve months before we could obtain any powerful guns. Besides, it should be recollected that those establishments had generally contracts to execute for foreign Governments; and it could not be expected that they should neglect the work they might be engaged in for those Powers for the sole purpose of serving Her Majesty's Government. But they knew what all that meant. It meant this, that if we were to lay out all the money necessary to put the country in a proper state of defence the Chancellor of the Exchequer would not be able to bring forward this fine Budget which we heard so much about. We should, in fact, have no surplus to dispose of, and the Government could not go to the country with the popular cry that they had been able to reduce £3,000,000 of taxation. That was the position in which we were. The people of England must understand that if we were to have these rumoured reductions we could not place the nation in a proper state of defence. We might have the good fortune to avoid war, but if we should have the misfortune to fall into war we could not prevent the anticipation of the greatest disasters if this evil, so loudly complained of, were not immediately remedied.

Mr. MONSELL said, that the hon. Gentleman did not appreciate the difficulty of the Government with regard to guns. He believed the House and the country were quite prepared to go to any expense to provide an efficient weapon; but, as had been proved two years ago before a Committee of which he was Chairman, the Government had rushed into an attempt to produce a large number of guns without sufficient inquiry and investigation, and the result was the expenditure of an enormous sum of money, almost altogether uselessly. He was sure the House would agree with him that course should not be followed. He understood that since the Report of that Committee had been laid on the table experiments had been going on for the purpose of arriving at the best result, both as to rifling and calibre, and especially with reference to the contest between Sir William Armstrong and Mr. Whitworth, to get the best sort of gun that could be produced. The only fault he could find with the Government was that these experiments had not been pressed forward as rapidly as they might have been. He was informed that for a considerable time there had been, for some reason or other, very few experiments at Shoeburyness. He thought, till the Report relative to the comparative merits of the Whitworth and Armstrong ordnance had been laid on the table, they would not be in a condition to form a judgment as to what the Government ought to do for the future. He hoped the noble Marquess would not proceed with the Vote till that had been done. He should like to hear some statement with regard to the experiments which had taken place with the Palliser gun. He understood that by means of the insertion of two tubes in a 68-pounder it would be turned into a 110-pounder rifle gun, and that old guns might be adapted to that model for £100 each, whereas a new gun on that principle would cost £500 or £600, and these guns would then be very efficient for such purposes as were pointed out by the hon. Member for Bristol (Mr. Henry Berkeley). They were perfectly effective for piercing any iron-clad ships possessed by foreign Powers at a distance of 300 or 400 yards. But what he chiefly rose for was to entreat the Government not to run into the rash and wanton expenditure which occurred with regard to the Armstrong gun, but to bring their experiments to a conclusion as speedily as possible; and when that had been done he was sure every Member would be very willing to grant any sum that might be required for the production of as large a number of the most approved guns as might be wished.

THE MARQUESS OF HARTINGTON: I do not rise for the purpose of following the hon. Members for Bristol (Mr. Berkeley) and Maldon (Mr. Peacocke) into the consideration of the probability of this country entering into a war with America. I listened with great interest to the debate which took place the other night upon the defences of Canada, and it seemed to me that most of the speakers who addressed the House did so with a due sense of responsibility upon them, and admitted, as we must all admit, that, while there is a possibility of our being engaged in a war with America, the probability of such a misfortune is very remote indeed. I do not think it necessary, therefore, to follow the arguments of the hon. Member who first spoke to-night (Mr. Berkeley). There is only one part of the subject to which I think it necessary to make any reference. The hon. Member repeated the complaints which he made last year—namely, that the Artillery Volunteers of this country are only armed and drilled with 18 and 24-pounder guns, and he repeated very correctly the answer which was given to him last year, and which it seems to me is a good answer this year. That answer is, that it is necessary that the Artillery Volunteers practise and learn their drill in the localities where they reside. Where no batteries exist they are erected, and the guns and ammunition are sent to them for the purpose of instruction only. In case of war, the Artillery Volunteers would be moved to any works where their presence might be required, and it by no means follows that they would use the guns now in their possession. In fact, it is certain such would not be the case. The hon. Member also says our coast defences are not in that state in which they ought to be, in order to repel any attack which a cruiser, such as the *Kearsage* might make. I do not mean to say that either our old or new batteries are as yet thoroughly armed. The new batteries, as far as they are finished, are, I believe, armed. The House is aware that those batteries which will mount the heaviest guns, and which are intended as our sea defences, at Plymouth, Spithead, and other places, are not yet finished, and not in a state to receive their armaments. These armaments will be of a very heavy description; but surely, whatever may be the opinion of the House as regards the state of forwardness of our naval armaments, the House would not wish the Government to incur any large expenditure in preparing armaments for forts not yet ready to receive them, especially when it is agreed on all hands that many important questions are still pending with regard to the principles to be adopted in our heavy ordnance. As to the new works which are finished and the old works, I deny that they are in such a state as to be unfit to protect our coast against the attack of an ordinary wooden vessel. The 110-pounder and 68-pounder guns are perfectly efficient against wooden ships of that class. The hon. Baronet the Member for Evesham (Sir Henry Willoughby) asked what had become of a number of 110-pounders. As I have mentioned before, although we fully admit that the 110-pounder is not an efficient gun against iron-clad-ships, yet we are not prepared to admit that it is not a good gun for a great many purposes, and one of those purposes for which it is most efficient is to repel the attack of wooden vessels. If the hon. Member for Bristol wishes to assert that the whole of our seaboard is not covered with batteries, and batteries armed in such a manner as to resist the attack of iron-plated vessels, I entirely agree with him; I think it is not likely that we ever shall have every part of our coast and every harbour where a vessel can take refuge armed so as to resist the attack of iron-plated ships. I have always understood that one of the great purposes of our fleet was to protect our shores; and I do not think it was ever contemplated—indeed I never heard it contended for—that the whole of our coast should be protected by batteries in such a way as to resist the attack of iron-plated vessels. I maintain that our batteries are armed with guns perfectly useful against the attack of ordinary wooden cruisers. Now, Sir, the hon. Baronet the Member for Evesham (Sir Henry Willoughby) asked whether we had a good gun. I can only give him my opinion upon that point, and I do not wish the House to take it for more than it is worth. I have stated in moving the Estimates that we have very good guns, the 12-ton and 20-ton guns, made upon the coil principle, and I believe these guns more powerful than any in the possession of other nations. I do not personally believe that we shall ever get a very much better gun. There are, however, so many questions undecided, and so much difference of opinion among the highest authorities, that I think it is very probable we may know much more upon this subject this time next year than we do now. In reply to the hon. Baronet, I can only say we have a good gun. We have only made guns and fitted them as actually required for ships fitting out this year, and we are making a comparatively small number for our land defences, waiting to complete the armament of our sea defences until the questions now under consideration shall have been more fully decided. As to the statement of the hon. Member for Inverness (Mr. H. Ballie) that twelve months are required to make a 600-pounder, I do not think that is correct. I believe there are several establishments in the country that could make a 600-pounder in half that time ; besides, I think it extremely improbable that we shall ever require any large number of guns of that size. The 12-ton guns are quite sufficient for the purpose of piercing an iron-clad vessel; and I therefore think it will seldom be found necessary to have a gun heavier than that. I do not believe that I ever said anything that would induce the House or the people of this country to think that we intended to stop where we are at present, or to delay the arming of our navy and forts till war broke out. I said that we were scarcely in a position now to incur a large expense, with our limited knowledge; and, as an argument for not incurring such an expense, I mentioned that there were establishments in the country which would be able to turn out a large number of guns if an emergency appeared imminent. The right hon. Member for Limerick (Mr. Monsell) stated that, in his opinion, there had been unnecessary delay in the experiments which had lately taken place. I admit that there has been a great deal of delay in the experiments between the Armstrong and the Whitworth guns. I explained on several occasions what was the cause of that delay, and I do not think it can in any way be attributed to the Government. The delay was entirely on the part of one or other of the competitors, and I believe principally caused by Mr. Whitworth, in not producing his gun and ammunition at the specified time. The trial, as the House is aware, was placed in the hands of a Special Committee; and all through the proceedings the Government avoided as much as possible interfering with the Committee, and allowed them to carry on the trial in their own way and in their own time. I do not mean to say that remonstrances have not been addressed to them as to the length of their proceedings; and they were frequently urged to make their Report. I trust their Report will be received in a short time, and I wish the hon. Gentleman had not brought forward his Motion till that Report was received. It will require a great deal of consideration, but it would be unnecessary and unwise to postpone the Votes on the Estimates till that Report is received. As to the trial of Captain Palliser's guns, the hon. Member is quite right in saying that it has been exceedingly satisfactory. A few have been made upon his principle, and they have shown an extraordinary power of endurance. It has been thought desirable, before the final adoption of these guns, to have some further experiments, but there is every reason to suppose that the guns lined on Captain Palliser's principle will be most effective. I cannot say how far the guns would be efficient against iron-clads, but there is no doubt they will be most efficient for our land defences, where they are not called upon to contend against iron-clads. I believe the guns which have been ordered for experiment will be ready in a short time; and if the results should be as satisfactory as those which have already been obtained, the Government intend to proceed to a considerable extent in the conversion of our old cast-iron guns into rifle guns on the Palliser principle.

Mr. W. E. FORSTER said, he should give no opinion on the question of the guns, with which he felt himself incompetent to deal; but the hon. Member for Bristol (Mr. Berkeley) and the hon. Member for Maldon (Mr. Peacocke) had referred in their speeches to a matter which would have been more appropriate to the debate last week—namely, that on the defences of Canada. He supposed the hon. Member for Maldon (Mr. Peacocke) wished on this occasion to enter a protest against the language and tone which had been adopted by the leaders of his party in that House the other evening. He should not again enter into the question of the claims put forward by Mr. Seward on account of the *Alabama*, but if the hon. Gentleman had read the despatch of Mr.

Seward he could not understand by what means he could persuade himself that those claims were being kept in reserve to be asserted by Mr. Seward in such a manner as to threaten war to this country. The hon. Gentleman said that Ministers and officials of the United States threatened this country with war. It was true that Chief Justice Chase had unwisely threatened us with a shaking, and that an official in Brazil had written a foolish despatch. But surely it was unworthy the dignity of the nation that we should go to an enormous expenditure in defending our colonies because one or two Ministers had used words which ought not to have been spoken. If we were made answerable for all the expressions used by Ministers sitting on that Bench and on the other, we should be at war with almost the whole human race at this time. They had no reason to feel alarm about war on grounds like these. With regard to the order of General Dix, that was undoubtedly a very hasty order, but was issued under the supposition that it was necessary for self-defence; and notwithstanding the very natural excitement which prevailed in America on the subject, as soon as the order came to the knowledge of the Government at Washington it was immediately disowned. Some allowance should be made for excited feelings on such occasions. Some years ago, when the Canadians expected an attack from American territory, the British commander did not wait for the attack, but he acted, seized a ship on American waters, and he justified the step on the ground of self-defence. General Dix did issue an order which was opposed to International Law, but the American Government at once disavowed it; and what more could they have done? He should not have risen at all, but for one remark of the hon. Gentleman, because it was just one of those remarks that were calculated to cause ill-feeling between this country and foreign countries, and especially between us and our kindred in America. The hon. Member said that the hon. Member for Birkenhead (Mr. Laird) had been the real peacemaker, because he made the troubles and calamities of war to bear upon the inhabitants of New England, who, by reason of their buying substitutes, would not otherwise have felt these calamities and troubles. No statement could be more untrue. If the hon. Gentleman only put himself to the trouble of personally inquiring he would find that there was scarcely a family in New England, especially those in an upper station, in which one or more of its members had not fought with courage or died in this war. The hon. Member would find that the misery and distress which had been caused by this war in New England were so great that even he, if he were there, would sympathize with it. He (Mr. W. E. Forster) did not deny that the South had shown the same courage. No people had ever shown more. He had never made any such charge against the South as that which had been brought by the hon. Gentleman against the North. He only always wondered how in such a cause they could have displayed such qualities; and if we were to draw any moral from this war it was this, that no amount of self-devotion and self-sacrifice in a wrong cause could succeed. The hon. Member ought to be ashamed of making so unfounded a charge against the people of New England. As far as the House was concerned, perhaps, this language did not signify much, but it was this kind of charge, which affected character and motives, that caused ill-feeling between this country and other countries. He was afraid, unless some protest was made against the use of such language, it might be supposed on the other side of the Atlantic that it expressed the feeling of that House. He perceived that the hon. Member for Galway left the House when the hon. Member used this language, and that even the hon. and learned Member for Sheffield (Mr. Roebuck) was no longer in his place, so that the language he used must be regarded as expressing his own solitary feelings, and perhaps those of one or two eccentric Members of the House.

Sir FREDERIC SMITH said, it was his intention to have moved to-night for the production of the drawings of the intended defences of Canada; but having seen them, he was enabled to say they were so simple and so efficient that an examination of them at the War Office would be quite sufficient to convince any hon. Gentleman of their expediency. He had no hesitation in saying that he believed the plans for the works intended for Canada were most skilfully prepared, and he did not think a better system of defence could be adopted; but to make that defence complete no time must be lost in placing gunboats upon the Lakes and on the St. Lawrence. He could not understand how it would be possible to defend Canada, even if the proposed fortifications were nearly completed during the ensuing year, without insuring the command of the Lakes, on which we had not at present a single gunboat. The noble Lord the Under Secretary for War had admitted that there was a delay in getting a report of the two rival guns—the Armstrong and the Whitworth. Now, they were both so good that in his opinion the Government might have ordered a certain number of both. They had been told that the difference between them was not very material, and that if they had either they would be in possession of an efficient weapon. If that were the case they might as well order some of one kind or the other at once. The noble Lord had said that we possessed a good gun — the 12-ton gun. If so he thought we might reasonably multiply the twenty-six or thirty which were being prepared by five or six, so that we might have a sufficient number to enable us, at all events, to be prepared for the worst. He was not one of those who believed we should have war with America, but he thought it was but right to be prepared for every emergency. His hon. Friend had said that at Malta and Gibraltar we had not a single gun on a new pattern; but in this statement his hon. Friend was incorrect. The majority, it was true, were old, but there were some new guns at those places. With regard to the defence of our coast the noble Lord had said that we could not pretend to defend it at all points; nothing so absurd was ever contemplated. We might, however, defend some of our best commercial harbours, and if this were not done the Government had no right to bring forward an Estimate of £300,000 year after year for this purpose. On coming to that Vote he should take the opportunity of asking the noble Lord what amount it was really proposed to expend, and where, because he believed that the commercial classes of this country ought not to be any longer misled and induced to believe that they were contributing towards an object which the Government did not intend to carry out.

Mr. BENTINCK said, that the noble Lord (the Marquess of Hartington) had placed himself in an onerous position—he had undertaken to be a prophet in his own country. He hoped his prophecy might come true, because he had undertaken to say that in his opinion the probability of war between the Northern States and this country was exceedingly remote. He should be very much pleased if that were the result, but, nevertheless, he did not think the present aspect of affairs was one which would justify this country in relying upon the prophetic visions of his noble Friend. The hon. Gentleman the Member for Bradford (Mr. Forster) had gone further still, for in referring to the remarks of the hon. Member for Maldon (Mr. Peacocke) that Gentleman had told the House that there was nothing threatening to this country in the attitude of the Northern States. Now, that appeared a somewhat strange assertion, and he must be permitted to say that his hon. Friend was perfectly justified in adverting to what he considered as evidence of a state of feeling in America which might possibly lead to the lamentable result of war. The general feeling of a country was to be judged from what fell from the lips of its leaders; and, though he should not look for highly classical expression in a country endowed with republican institutions, and which had not the advantage of that civilization enjoyed by this country, yet, making allowance for the somewhat peculiar phraseology indulged in by gentlemen on the other side of the Atlantic, quite enough had been said to lead this country to believe that a strong feeling of hostility towards this country existed not only among public men, but among the masses of the population, who in the United States were the great controlling power. Any Government in this country, therefore, which should shut its ears to all that had been said on the other side of the Atlantic, and neglect the precautions necessary to avert a possible, not to say a probable contingency, would fail in the discharge of one of its most obvious and greatest duties. His chief object in rising, however, was to repeat what he had ventured to affirm on a former occasion upon which he had not been able to extract an expression of opinion from any Member of Her Majesty's Government. He had always found that the only chance one had of getting at such an expression of opinion was by pressing the subject on their attention, and with that object he would repeat what he had said on the occasion to which he had alluded. It was this—that it was perfectly hopeless for this country to attempt to defend Canada against invasion from the Northern States by land. It was a waste of time and money for two reasons — for he contended that this was not a military question, but one of common sense, upon which every one was capable of forming an opinion. In the first place, it was impossible for this country to furnish a number of troops sufficient to defend a frontier of such enormous extent, more especially when the vast force which the United States would be able to bring to bear was taken into account. Neither would this House vote the money that would be requisite. He did not see the Chancellor of the Exchequer in his place, but he was quite sure the right hon. Gentleman would not sanction any such proposal. Was the House prepared to find the money for the fortifications which should be erected and for the troops which were to man those fortifications, as well as to take part in the operations in the field? And how were the Government going to work? Why, they proposed to begin with a trifle, a mere drop in the ocean—£50,000 for the construction of fortifications for the defence of the frontiers of Canada. How long did they calculate it would take to complete those fortifications, and, when completed, would any Member of Her Majesty's Government say where the troops were to be found to man them? The noble Lord had said that the probability of war was very remote. But the Government by proposing a Vote of £50,000 had admitted the possibility, if not the probability, of such an event. Well, then, in that event, did the Government anticipate that the Northern States would be kind enough to wait until they received an announcement from Her Majesty's Government that all the requisite fortifications were completed at the rate of an outlay of £50,000 a year, and that we were now prepared to receive them with due honour? or rather was it not more probable that a war, if war was to be, would take place long before the preparations for it on the Canadian frontier were completed? Well, then, what consistency was there in the conduct of Her Majesty's Government when, on the one hand, they proposed a Vote of £50,000 for fortifications, and on the other a reduction in the number of our troops? What had been said by his hon. Friend was quite true—that all our Estimates were trumped up *ad captandum* to suit the Chancellor of the Exchequer and the purpose of the moment, and all that the interests of the country demanded was kept out of sight. The only way in which Canada could be defended was by sea—that is, by our possessing a complete maritime superiority over the Northern States, by completely blockading their ports and reducing the country by the process of exhaustion. He hoped, therefore, Her Majesty's Government would reconsider the question before they took the Vote of £50,000.

Captain JERVIS said, that he regretted that the American question had been mixed up with that of gunnery. This Bogie cry was not now set up for the first time; they had heard it before, it used to be an invasion by France, when it was now a war with the United States, on any other Bogie which might be wanted to frighten them into giving a Vote. The real question for them to consider was, was England now in a state of defence which she ought to occupy? They had heard a great deal of the enormous expense of guns. The expense of gunnery was a matter of policy. If the Government looked forward to a prospect of years of peace they should take a small Vote. If they anticipated war they should ask for a large one, and avail themselves of the best gun of the period. The Armstrong gun had its origin in the Crimean war; the 40-pounder gun was the result of the war with Austria; and the 110-pounder was the result of the *Trent* affair. Sir William Armstrong having been ordered to make that gun, did so, and it was the best gun that was attainable at the time. Since that period numerous experiments had gone on at a great expense, and from these experiments (at Shoeburyness), and the experience gained from the war at the other side of the Atlantic, they found that armament which in 1859 was excellent was no longer of any use. They were now asked to do nothing until they got a perfect 600-pounder, or some imaginary gun. Now, he recollected many years since having been sent for by the Ordnance Department, and he was asked to make a perfect rifle with perfect machinery. He was somewhat astonished at the order, and took time to consider his answer. He consulted with some of the best men of the day, but they, like himself, were obliged to come to the conclusion that such a thing was perfectly impossible, as gunnery, like every other science, was improving from day to day, and that they might as well try to arrive at perfection in ballooning. A Committee was, nevertheless, appointed to make a perfect rifle with perfect machinery; and after going on for years the same rifle was now used as was then. What would have been said had we waited for this perfect rifle instead of arming our troops the best way we could? Gunmaking would go on improving as other sciences improved. The success of gunnery did not depend on an Armstrong or a Whitworth, but upon those who manufactured the steel and iron all over the world. It was said that Mr. Whitworth originated the steel shot, but steel shot was thought of long before Mr. Whitworth was dreamed of, and that the manufacturers in Prussia, by improvements in their manufacture, enabled him to make it. What was the real complaint? The real complaint was, not that they had not made 600-pounders to be placed in their forts, but that if any disturbance should arise they had not a gun to put into the navy to meet the enemy. By that he did not mean that they were unable to arm iron-clad line-of-battle ships of 6,000 tons, but that they could not even send a floating battery to sea with a proper armament in her. It was unfortunate that the question of guns had been strongly mixed up with party considerations. Lord Derby's Government, when General Peel was in Office, having selected the Armstrong gun, it was at once called the "Blue" or Tory gun, and the successors of that Government sought another gun, and selected the Whitworth gun, the "Yellow" or Reform gun. They would never have heard of this latter gun had not its inventor been a member of the Reform Club, and advertised it in the billiard-room and smoking-room there, and his friends pestered Minister after Minister in favour of this gun, and Committee after Committee was appointed till it seemed as though the War Office would never come to a conclusion. He hoped they would now have a final settlement of this question, and come to the conclusion to have the best available gun of the day, and to have a sufficient number, sinking the little petty matters that had arisen between man and man, club and club, but getting that which was most useful to the country.

BRITISH SUBJECTS IN CHINA.

OBSERVATIONS.

COLONEL SYKES, in rising to call the attention of the House to the alleged inability of the British Government to enforce Orders in Council and Ordinances by Superintendents of Trade, relating to British subjects in China, said, that he did not see the Under Secretary of State for Foreign Affairs in his place; but as the noble Lord at the head of the Government, who was always in his place, was present, he would probably give a more explicit reply than the House could hope to obtain from the Under Secretary. The statement that the Government could not enforce these Orders in Council and Ordinances for the control of British subjects in China would, if it went abroad, necessarily have a mischievous effect. China swarmed with freebooters, filibusters, rowdies, and deserters from ships who were seeking their fortunes in that empire, ready at all times to take service on one side or the other, and to keep up the existing anarchy. His object was to make it understood that the Queen's Orders in Council could be and would be enforced. Parliament authorized the issue of these Orders for the control of Her Majesty's subjects within the Chinese dominions, or 100 miles of the coast thereof; and in January, 1855, by virtue of the powers vested in him, the Chief Superintendent in Hong Kong, Sir John Bowring, issued an Ordinance, declaring among other things, that any British subjects taking part with the Government or the rebels would be guilty of a misdemeanor, punishable by not more than two years' imprisonment or by a fine of not more than 5,000 dollars. This Ordinance was in operation during the whole time that our officers — Sir James Hope, General Stavely, General Brown, Captain Dew, and others—were slaughtering the rebels, so that by siding with the Chinese Government those officers actually committed a misdemeanor, for which they were punishable, under the Ordinance, as he had mentioned. When it was found necessary to assist the Emperor of China an Ordinance was published in Her Majesty's name granting permission to Captain Osborn and Mr. Lay to enlist British subjects, not for the service of the Emperor of China, but expressly for service under Captain Osborn and Mr. Lay only. The House would not fail to remember the dreadful events which followed from the perfidy of the Futai, the ally of Captain Gordon, under whose guarantee the princes of the rebels surrendered at Soochow only to be assassinated, and yet Captain Gordon, who professed at first the greatest indignation, remained in the service of that assassin. Her Majesty's Government, however, upon learning the facts, with very proper feeling issued an Ordinance that all British subjects should withdraw from the service of the Emperor of China and of the Mandarins. It had been argued, most incorrectly as he believed, that the orders did not apply to all British subjects in the service of the Mandarins or of the Emperor of China, but to officers only holding Her Majesty's Commission, but he submitted that it was unquestionable by the plain meaning of all previous Orders in Council, that those orders did apply to all Her Majesty's subjects, and therefore the orders ought to be enforced. The question then remained, were there any British subjects now in the service of the Emperor of China or of his Mandarins. The Consuls were quite aware of their powers, and only required stimulating to put those powers in force. Nothing was required but an expression of will on the part of Her Majesty's Government to induce the Consuls to act upon those powers. What had been the effect of enabling the Mandarins to drive out the rebels? He held in his hand a narrative written by a merchant in Shanghai who, finding since the occupation of the silk districts by the Imperialists that the supplies of silk were diminishing, made a journey through those districts in order to discover the cause of such diminution. An extraordinary statement had appeared in a leading journal to the effect that since the rebels obtained possession of the silk-producing districts there had been a gradual diminution in the supply of that article, while from official Returns it appeared that from May, 1860, when the rebels first obtained possession of those districts, the supplies of silk had gone on annually increasing until the Imperialists regained possession by the aid of Colonel Gordon and his force. The gentleman to whose narrative he had referred stated that he was informed that under the Taeping rule the country seemed happy and flourishing, and from personal observation in other districts where the rebels exercised authority, the people of those districts had nothing to complain of in the working of Bentham's theory of the greatest good for the greatest number. The gentleman he referred to next proceeded to ascertain whether the mulberry trees were as numerous as before, knowing that unless those trees were maintained the supply of silk must fall off. Burgevine, it is said, when he transferred his services to the rebels, recommended to the Commander-in-Chief, Chung Wang, that he could punish the British for their breaches of neutrality if he were to destroy the mulberry trees, and therefore interrupt the production of silk; but Chung Wung refused to adopt this advice. The country around Soochow, and in the province of Chekiang, was a garden and thickly inhabited; but now the country was a desert, the houses had disappeared, and the inhabitants had all fled from the Imperialist victors, whom they dreaded as tigers. At a distance of about 27 li from Soochow this gentleman came to a place which was formerly a custom-house station, but was now occupied by a portion of Gordon's old force. There he found seven British subjects, Colonel Doyle, Major Murphy, Major Lawless, and four others, who were engaged in drilling an artillery force of some 500 men for the Futai's service. There were twenty heavy guns of foreign manufacture, large quantities of English gunpowder, 45,000 rounds of shot and shell, in possession of the force, notwithstanding the Ordinance of 1855, which made it a misdemeanor in any British subject to supply warlike materials to either party. This gentleman further stated that he found the anti-foreign feeling was reviving; indeed, subsequently to his visit these very troops assaulted their officers, and Major Doyle, and three of his officers, in self defence, were obliged to fire upon their assailants and killed three of them, for which act the Futai dismissed them from his service. At Soochow the traveller found a Dr. Macartney, formerly of the 99th regiment, superintending the manufacture of shot, shell, and rifle bullets, and thus it might happen that the merchants of Shanghai would have to seek shelter on board our ships from an enemy who used against them the rifle bullets which Dr. Macartney had taught them to manufacture. At Ningpo, under the very eyes of the Consul, Major Cook, and other officers, were engaged in the service of the Mandarin. Then, when the traveller came to look for the mulberry trees which were so important for the production of silk, he found that in the conquered districts from which the rebels had been expelled, they had been cut down by the Imperialist troops—that accompanied Colonel Gordon in his victorious career—for firewood! The Consuls could prevent the violation of Her Majesty's Ordinances if they wished it. They had power if they chose to exercise it, a proof of this is given in a Consular

Ordinance, dated Amoy, 1st January, 1865, issued by the Consul at Amoy. It directed that the passengers in British vessels without passports should not be allowed to land without express permission from the Consul. It was also ordered that persons arriving in that port in British vessels, unprovided with such passports, must be detained on board by the captain until the case was reported to the Consul, who should give or withhold his permission as he might think fit. That was leaving the liberty of British subjects in the hands of diplomatic agents with a vengeance. It was declared, also, that masters and consignees of British vessels were responsible for any passengers landed in violation of the regulations. It was also declared that any foreigner or Chinese leaving the port must have their passports *viséd* before going on board. In many other places in China there were British subjects as well as other foreigners, and their withdrawal had been recommended from the service of the Emperor of China. He had reason to know that a despatch to that effect had reached the Foreign Office in 1863. In June, 1863, the Ministers of the four great Powers had agreed to recommend to their Governments the withdrawal of their subjects from the service of the Emperor of China. He was not aware whether that agreement was still in existence, but as a matter of policy it ought to be acted upon; and he, therefore, begged to ask the noble Lord at the head of the Government whether, in the name of humanity, our Consuls ought not to be called on to withdraw all British subjects from the service of the Emperor of China and the local Mandarins, who were serving in a military capacity and manufacturing *matériel* of war, in all probability to be used against ourselves ultimately, from the feelings which were now being manifested by the Chinese Government and its officials?

THE ATTORNEY GENERAL said, that though the question had not been addressed to him, yet, as it involved a matter of law rather than one of policy, perhaps the hon. Gentleman would allow him to reply to it. The hon. and gallant Gentleman seemed entirely to overlook the nature of consular jurisdiction in China, or any other foreign country where such a jurisdiction had been conferred by the local Government, in assuming that Consuls had the same means at their control for the enforcement of the laws they had to administer as were possessed by the authorities of the country in whom the territorial jurisdiction resided. In this country the Government had at its disposal the police, the *posse comitatus*, and the army, if necessary, for the the enforcement of the law; but a Consul had no power except what he derived from the co-operation of his countrymen, or that which might be conferred on him by the Government of the country in which he lived. Under these circumstances, it was clear that, if the law were violated, Consuls in no case could proceed except upon information properly before them, or proper evidence that a breach of law had been committed. It was impossible that they could send a roving Commission all over China to find out who might be or might not be disobeying the law, and to summon them, whether they were in the service of the Emperor or not, to answer for offences of which no one had accused them. The Consular Courts had the same duties to perform as other courts in criminal cases—they had to receive information properly verified, and to decide according to law; but they were not to go about all over China trying to find out all possible offenders. The Government of this country could not be held responsible for the discovery and punishment of all British subjects who might commit offences in any part of China. When these subjects were within the consular jurisdiction and were properly accused—on proper evidence—then it would be time enough to inquire whether they had offended against the Ordinances. It was quite impossible that these Ordinances could be executed all with equal efficiency over a great empire like China — they could only be enforced in those places where our Consuls were resident.

INDIA—BOMBAY BACK BAY SHARES.

OBSERVATIONS.

MR. HENRY SEYMOUR said, he wished to call the attention of the House to the proceedings of the Indian authorities with regard to the Back Bay Shares at Bombay, and to move for any Correspondence between the Governor of Bombay, the Supreme Government of India, and the Home Government, relating to any proposed increase of Salaries of Officials in the Bombay Presidency. Owing to the large exports of cotton from Bombay there had recently been an enormous accession of prosperity there, upwards of £70,000,000 having been sent to the Presidency as the balance of trade. Two years ago the Government of Bombay made an arrangement with a company there for the reclamation of a considerable portion of land in the neighbourhood of Bombay. That Company was called the Back Bay Company, and the bargain was that the Government should have one-third of the land reclaimed and the right to 400 of the shares to be issued by the company. They were £1,000 shares—£500 paid up. But after the Company was formed and proceedings were begun for the reclamation of the land, orders came from the Supreme Government that it was improper for the Bombay Government to traffic in shares, and that they were to be given up. The consequence was that these 400 shares were put up to auction, and they realized a premium of £1,160,000 which, instead of being carried to the profit of the Government, went to the profit of the Company. He asked the Secretary for India for some explanation of this strange proceeding. The Government was aware, from the history of previous companies, such as the Elphinstone Land Company, the £1,000 shares of which sold for £3,800, the Victoria Land Company, the shares of which went up to £700 premium, and others, what enormous profits were made, and he wished to know how it was that they had not made a better bargain. He thought if the Government believed it was wrong to traffic in shares they ought to have made up their mind in the first instance; but as they had gone so far as taking one-third of the land they ought to have asked for a larger portion. It would have been particularly convenient for the Government to receive the money, which they might have obtained in the face of the deficit which there was stated to be in the Indian revenue. Perhaps his right hon. Friend the Secretary for India would take this opportunity of giving the House some account of the computed estimates of the receipts and expenditure for India, and also state when he proposed to make his financial statement regarding that empire. In answer to a question put to him on a former occasion by the noble Lord (Lord Stanley), his right hon. Friend was understood to say that he would produce the Oude papers when making his financial statement. If the right hon. Gentleman had made that answer he presumed they must do without the Oude papers till July or August. [Sir CHARLES WOOD: I never said so.] The subject of the enormous amount of speculation which had been going on in Bombay for the last three or four years was one to which he could not refer without regret, because it occurred to him that if there was a proper land system there—if they could purchase the fee-simple—the Natives would have laid out their capital on the soil of India, which investment would have returned them a large profit, and would have been of great benefit to England from the quantity of cotton which would have been cultivated. He would ask his noble Friend whether he would lay on the table the correspondence which had passed between himself and the Supreme Government, and the latter and the Government of Bombay, with regard to the request on the part of the Government of Bombay to be permitted to raise the salaries of the officials in that Presidency. It was known that in consequence of the enormous influx of capital into Bombay, prices there had increased, and that the officials could no longer live on their salaries. He was told that to meet that state of things, an increase of salaries amounting to £500,000 a year had been proposed, such increase being deemed absolutely necessary in order to obtain the services of efficient officers; for, so great was the demand for cultivated men at high salaries, it was feared that some of the best officials would leave the Government service. But the Supreme Government would not allow the Government of Bombay to make an augmentation that was so necessary; and he was informed that his right hon. Friend had confirmed the decision of the Supreme Government. He was further informed that from other parts of India a similar request for permission to increase the salaries of the officials had been made, and he asked whether his right hon. Friend would lay on the table all the papers relating to this subject. The question of the land tenure of India was now more than ever deserving the attention of his right hon. Friend. It was important to procure raw material for this country; but under the present system of land tenure in India it could not be expected that capital would be laid out on the soil. During the Russian war, when we were precluded from getting hemp from Russia, the production of jute as a substitute was stimulated in India, and since that time jute had continued to be a large item in the exports from our Indian empire. It would be the same thing with cotton were it possible in the portion of India to which he alluded—the western regions—to cultivate it with success; but no person in India was willing to spend his money in permanent improvements on land which did not belong to him, which he only held on a thirty years' tenure, and of which the rent might be raised to any amount at the end of that period, it being further, in the power of the owner to take advantage of all the improvements which had been made by the cultivator.

Sir CHARLES WOOD: In the questions which he has put, and the remarks by which he has accompanied his questions, my hon. Friend has travelled over a very wide range; but I do not think it would be consonant with the wish of the House —seeing that it is desirous of proceeding with the Army Estimates—that I should on this occasion enter into a long discussion on the land tenure of India, which is one of the questions that he has raised. I have no objection to lay upon the table the papers to which he has referred. My hon. Friend thinks that agriculture can only be improved in India by Englishmen buying land and cultivating it themselves, and attributes the backward state of Western India to its not being done. I will, however, take the liberty of reading a few sentences from a letter of Sir Bartle Frere with regard to what is going on in Bombay, and the House will see that the description which my hon. Friend has given of the state of that Presidency cannot be quite correct. Sir Bartle Frere, writing of the country near Nassick, says—

> "Except the natural features of the country, there was little by which I could recognize it, or tell where I was. Sheets of cotton, grain, and oil-seed cultivation had replaced what I knew as uninhabited jungle. Wherever I have been off the road I have found villages which had been established within the last ten or fifteen years on land which had been waste for generations."

With reference to what is being done in the way of application of machinery he says—

> "The cotton district begins eighty or 100 miles west of this, and at each railway station near this I see that small factories with steam-driven ginning and pressing machinery are being set up by Bombay speculators."

This is the mode in which I think improvement in India can best be carried on. My opinion is decidedly this—that it would not be an advantageous proceeding for Englishmen to engage in the cultivation of land in India. I believe the ryots can do that very well, and that Englishmen will be doing much better by setting up factories and machinery for turning to use the raw material cultivated by the ryots. With regard to the Oude papers, I did not make the statement referred to by my hon. Friend. On the contrary, the Oude papers have been on the table for a considerable time; but, as I have stated more than once, there were some documents missing. They, however, have been received since, and all the papers promised to the House will be printed and delivered with as little delay as possible. With regard to the first part of my hon. Friend's remonstrance, his complaint is that the Government of Bombay was not allowed by the Government of India to speculate in shares. Now I must say that I think the Government of India was perfectly right. I quite admit that if the Government of Bombay had taken shares and sold them it might have made a considerable sum of money; but in that case the object for which it was asked to take those shares would have been entirely frustrated. The original proposal was that the company were to reclaim a certain portion of land called Back Bay, assigning a portion to the Government. That was agreed to, but the shares did not go off very well. When it was found that the shares were not going off very well the Government was asked to take them, in order that a permanent support might be given to the project from the Government being shareholders in the concern. The Government of Bombay wrote to the Supreme Government asking that it might be permitted to comply with that request. The Government of India replied, in effect, "We don't think it proper for a Government to take part in a speculative project of this kind. Therefore don't do it." The ground on which it was desired that the Government of Bombay should take the shares was that the company might have Government security for the permanent management of the Company; and, therefore, if the Government had taken the shares and sold them, that object would have been frustrated. I am glad that the scheme has been successful and hope it will continue so.

Motion, "That Mr. Speaker do now leave the Chair," *agreed to.*

SUPPLY—ARMY ESTIMATES.

SUPPLY—ARMY ESTIMATES—*considered* in Committee :—

(In the Committee.)

(1.) Original Question again proposed,

"That a sum not exceeding £5,434,567, be granted to Her Majesty, to defray the Charge of the General Staff, and Regimental Pay, Allowances, and Charges of Her Majesty's Land Forces at Home and Abroad exclusive of India, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive."

COLONEL NORTH, who had a Notice on the paper to move—

"That the present allowance of one shilling a day increase of pay to lieutenants of seven years' standing be extended to all subalterns of seven years service in the army,"

said, that by the rules of the service the seven years' standing of a lieutenant entitled him to an additional 1*s.* per diem to his original pay of 6*s.* 6*d.*, thus making his pay 7*s.* 6*d.* But if an ensign should be twenty years in that position it would not count for anything if he should not become a lieutenant. There was one ensign who had been in the service ten years, another had served nine years, and another seven, and there was a total of 100 cornets and ensigns who had completed their fifth year. The ensign of ten years' standing, if made a lieutenant to-morrow, would not receive the additional 1*s.* pay until after serving seven years as a lieutenant, and he was of opinion, considering the duties they had to perform in all parts of the world, that all subalterns ought to receive an additional 1*s.* of pay after a service of seven years. The cavalry lieutenant, no matter how long he might have served, never received an addition of pay. Another great grievance in respect to the cavalry had reference to the adjutant's pay. The adjutant of a cavalry regiment received 11*s.* 6*d.* a day, out of which he had to purchase two chargers and pay 1*s.* 5*d.* a day for their forage. Thus he received only 10*s.* 1*d.* a day. An adjutant of an infantry regiment received 3*s.* 6*d.* a day besides his pay as lieutenant, which latter amounted to 6*s.* 6*d.*, making a total of 10*s.* a day. The adjutant of an infantry regiment also received an allowance in lieu of forage. There were other differences in favour of the infantry lieutenant, and he, therefore, hoped that some satisfactory explanation might be given of the difference in the allowances to the two classes of officers. The hon. and gallant Gentleman next adverted to the pay of privates, which was 1*s.* a day, and 1*d.* for beer money, being 1*s.* 1*d.* in all, besides free kits, trowsers, and other things on enlistment. From that sum was taken at once 8½*d.* a day for rations, extra messing (tea, coffee, vegetables), and washing. Beer was to be put down at 1*d.* These made 9½*d.* together, and left the soldier 3½*d.* a day out of 1*s.* 1*d.*, and out of this he had to pay for barrack damages, washing sheets, hair cutting, and keeping up his kit. Another most serious item was known by the name of hospital stoppages, perfectly ruinous to married soldiers. After the free kit was worn out the soldier had to provide himself with forage-cap, shell-jackets, three shirts, razors, shoe and cloth brushes, mits, soap, sponge, and havresack. No allowance was made for the great increase in the price of articles at the present day. In 1862 the soldier paid for a cotton shirt 2*s.* 10*d.* ; in 1863 he paid 2*s.* 11*d.* ; in 1864 3*s.* 2¾*d.*, and in the present year 4*s.* 3¼*d.*, and yet there had been no addition to the soldier's pay. The Secretary for the Navy told the House the other night that there had been an increase of pay in the navy amounting to nearly £250,000. The police of London had also received a considerable addition of pay, and the Government would commit a great error if they shut their eyes to the fact that sooner or later they must increase the pay of the soldier ; for the salaries of servants, labourers, and of every class were becoming higher. A labourer in his county received 1*s.* 8*d.* a day, besides assistance, and during harvest time the pay was generally doubled and beer allowed. The labourer's children were able to go bird-keeping, for which they got 4*d.* or 5*d.* a day. Besides all that, there was scarcely a parish in the country districts in which there was not a private charity from which, and from their garden plots and clubs, labourers received relief of one description or another if they had large families and little means. In fact, when the cases of the soldier and labourer were compared, it was impossible to say that the soldier was at all adequately paid. He was sorry that by the rules of the House he could not bring forward the question of increase of pay to the subalterns of the army in the shape of a Motion, but, considering the great expense to which young officers were put, he hoped the matter would be taken into consideration by the proper authorities. Last year a great fire broke out in the neighbourhood of Aldershot, and some troops were sent to the spot and were occupied there three or four days. The officers applied for some extra pay for the service performed and for the destruction of their clothing. The men received 9*d.* a day, which was a most miserable sum, considering the damage to their various articles, but no attention whatever was paid to the request of the officers.

MR. O'REILLY said, that in answer to a question which he had put to him on a former occasion, the noble Marquess had stated that he found on inquiry that no orders had been given a great number of years back by the authorities either of the Horse Guards or the Commander-in-Chief's Department with regard to the exclusion of Roman Catholics from any branch of the service. He was convinced that in making that statement the noble Marquess made it frankly, sincerely, and without any reservation. But within twenty-four hours afterwards it came to his knowledge that while the noble Marquess's statement, made on the authority of the officials of those two offices, was literally and perfectly correct, yet that such orders had beeen issued and acted on by the heads of departments in the army, without the sanction of the highest authority, distinctly excluding Roman Catholics from certain branches of the service. He would rather refrain from expressing his sentiments upon such orders thirty-five years after the emancipation of the Catholics; but he trusted the noble Marquess would be able to give them an assurance from the highest authorities who commanded the army, that adequate measures would be taken to prevent such orders being given by subordinate officials without the consent of the Commander-in-Chief or the Secretary of War.

MR. PERCY WYNDHAM said, he rose according to notice, to ask the Under Secretary of State for War, whether it would not facilitate recruiting for the Army, if appointments in the Civil Service up to the value of 25*s.* per week were thrown open to those soldiers, who, after eighteen years' service with good character, chose to qualify themselves for the above appointments. He must observe that while the price of every description of labour had greatly increased within the last few years, the pay and prospects of the soldier remained precisely the same. That state of things, of course, operated adversely upon the recruiting of the army, a point upon which he would not now enter, as it had lately been gone into fully. He was quite content to accept the admission that recruiting was not proceeding as satisfactorily as could be wished. But he might remark that the army was constantly losing the services of its best men after, comparatively speaking, a very few years. With regard to the ten years' men, when the first period under the new Act expired, there was great apprehension as to so many well-trained soldiers leaving the army. That feeling was somewhat allayed by the discovery that a great number of them re-enlisted. But subsequent experience showed that it was all the worst men who had re-enlisted, whereas all the best had gone, and easily found employment elsewhere; so great a value did employers attach to men who, to their other qualifications, added that of previous service with good character in the army. But the case was still worse when they came to the non-commissioned officers. He was informed that there was hardly a young non-commissioned officer of about thirty who could not obtain a situation worth 25*s.* per week; and consequently men of that class were very often lost to the service, on whom the officers had so much to depend for maintaining the discipline and efficiency of the army. He was sure, therefore, the noble Lord would agree with him that if any means could be devised for retaining these men in the service, it would be most desirable to adopt them. He was glad to learn from the noble Lord the other night, that the Government had in contemplation some mode of holding out other inducements to non-commissioned officers besides the remote chance of becoming quartermasters. He thought it would be very advisable to throw open to soldiers of eighteen years' good service, and who chose to qualify themselves for them, appointments in the Government offices up to the value of 25*s.* per week. He did not wish to insinuate that these appointments ought to be given exclusively to soldiers. On the contrary, he would have soldiers go through the same test as other candidates for such situations. The test might even be heightened if it was deemed expedient; but he said that that test once passed, then, *cæteris paribus*, a soldier ought always to be preferred to a civilian. As to the fitness of soldiers for such employments, he appealed to the experience of those who knew how they discharged the duties of porters, messengers, and similar functions. Supposing that they had enlisted at between eighteen and twenty-two, the most usual age, they would not be more than thirty-six or forty when they came to their new vocation—a time of life which surely could not be regarded as too advanced. He was aware that there was one obstacle in the way of the change he suggested — namely, that these appointments were usually looked upon as part of the patronage in the gift of the Government. There might, he knew, be some difficulty on the eve of a general election in giving up that patronage; but, the change once made, he did not think it would afterwards be regretted by any one. The hon. Member for Cork had spoken depreciatingly of this kind of patronage, and said he could get no one to take the places in the Post Office sent to him by Government to dispose of; but, for himself, he felt convinced that if appointments of this kind were given to deserving soldiers the change would be appreciated by the army, and he trusted that the Government would not refuse it a trial.

SIR HARRY VERNEY believed that the proposal of the hon. Member who had just sat down would offer a great encouragement to the soldier to behave well. He recollected an occasion when a vacancy occurred in the portership of Chelsea Hospital, and the Governor asked the Paymaster General to appoint a soldier, but the reply of the latter was that the place was part of his patronage, and he gave it to his own butler. Now, that he thought was a great shame, for the men of the army had a just claim to such a vacancy. Lord Llanover, when at the head of the Office of Works, set an example in this matter, for which great credit, and the thanks of all interested in the soldier's welfare, were due to him. He began the system of giving the offices in his patronage to deserving old soldiers; and many of the men now employed as park-keepers, who had medals on their breasts testifying that they had served their country well, owed their appointments to that nobleman. That system might beneficially be carried much further, because there were many offices at the disposal of the Government which might be perfectly well filled by meritorious soldiers and sailors. The hon. and gallant Member opposite (Colonel North) had referred to the increased pay granted to the navy to the amount of a quarter of a million; and he might also have added the advantage given to the sailor who had his rations found him, and might save the whole of his pay, whereas the soldier had to bear the expense of his own food. Moreover, without depreciating the services of our sailors, the soldier was exposed to much greater privation, danger in various forms, and ought at least to be treated as liberally by his country. Men who served in the army often lost their health, and also their lives, from the entire want of those sanitary arrangements, that good food, and all those comforts which the sailors of the navy generally carried about with them, wherever their ships went. He wished to direct the noble Lord's attention to the leave of absence of officers of the Indian army. As soon as an officer put his foot on board a ship for England he lost his Indian pay. It was natural that when the voyage home occupied two or three months an Indian officer should be debarred from coming home, but why should this regulation exist when he would spend three or four months with his friends upon a six months' leave? The revocation of this prohibition would be felt as an enormous boon by officers serving in India. In his opinion neither officers nor men should be kept in unhealthy climates more than seven or eight years. Even if it were necessary to retain a regiment in India for ten or twelve years, the individual soldiers should be allowed to come home on six months' leave in seven or eight years. It was said that transports were to be built by the Government for the conveyance of troops, and he did not know why the navy should object to have a few soldiers on board a Queen's ship. He wished also to point out the practice that existed in India of delaying to pay soldiers according to their rank. The commanding officer of a regiment in India had lately found it necessary to appoint ten acting sergeants, yet they would not be paid as sergeants until the discharge of the others was notified to the authorities at home. If a soldier were promoted to be corporal or sergeant, and did the duty, why should he not receive the pay at once without waiting for the notification of the discharge of his predecessor at home, often six or eight months?

COLONEL DUNNE said, that he entirely agreed with his hon. Friend (Colonel North) in the remarks he had made. He was glad to see two or three reductions in the Vote, which had all been from time to time recommended by that (the Opposition) side of the House. The reduction of the depôt battalions, for example, must be gratifying to every soldier. He was glad likewise to see that the Estimates for the movement of troops was reduced this year from £70,000 to £50,000.

Every military man who looked at the condition of the soldier and the little inducement held out to recruiting felt apprehensive with respect both to the number and quality of our recruits. It was only in the War Office that no anxiety existed. He had recently an opportunity of learning the opinion of many officers on this subject, and he believed that apprehension with regard to the future prospects of the service were entertained everywhere except at the War Office. It might not be possible to give a large increase of pay to our soldiers, but there were many economical reforms that would cost little, yet would do a great deal of good, by holding out additional advantages to those who wished to enter the service. The Government, for instance, from a mistaken economy, withheld from the non-commissioned officer the good conduct pay, which, as his service increased, was granted to the private, while it substituted a commuted allowance of 2*d.* a day additional to the former pay of non-commissioned officers. The latter might receive an addition of 5*d.* per day to his pay if he remained long enough in the army; and why, he would ask, should the non-commissioned officer be restricted to a commuted allowance of 2*d.* a day, and not receive the additions which he merited by service and good conduct ? In fact, it was a premium to good men not to become non-commissioned officers, while it was the obvious advantage to the service to hold out such advantages that every soldier should strive for promotion. He believed the whole sum saved in this way was not more than £25,000 a year. Every soldier was aware of the difficulty of inducing the ten years' men to re-enlist. He would add his voice to those who recommended that a soldier should receive a higher rate of pay during his second period of service. If the War Office would take a few general officers and commanding officer of regiments, and be guided by the advice of a Board so formed, means would be found and suggested by experienced men, which enabled the country to obtain the service of these men without any large addition to the Estimates. He was informed that for a sum of £10 many of the cavalry soldiers now in India and entitled to their discharge could be retained in the service. For want of this outlay the country was put to the expense of £26 passage-money home, and an equal sum for passage out, on his return, if he enlisted in England. The soldier came to England, received bounty-money, and re-enlisted in a regiment for India. Thus, rather than pay £10 in India, the Government thus incurred an expense of £52, besides the bounty-money. He observed that while those serious questions affecting the recruiting of the army were neglected, instructions were issued from the War Office on the most trivial subjects, as for the due transfer of keleidoscopes and magic-lantern slides from one regiment to another. These were puerilities that proceeded from civilians, and not soldiers. He regretted to say, and it was well known that one cause of the difficulty of procuring men was the unfair practices that prevailed in granting pensions to soldiers—every evasion was practised in regard to the payment of pensions. It was with a feeling of disgust that he read the other day in one of the newspapers of a poor man—Corporal Hackett—who had committed suicide. He had been corporal in the 60th regiment, and had two clasps, and had recently been discharged. His conduct had been so meritorious that he had been by his officers, recommended to a Colonel Beresford (a Colonel of Volunteers he believed), who had obtained for him some employment at a wharf. He had contracted bad health in India, and a pension had been given him of only 7*d.* a day, and, to make it worse, that was only a pension for three years. Of course he could not say that the smallness of the pension caused his death by inducing him to commit suicide, but he must have felt the injustice with which he was treated, and every man in the House must condemn it. He (Colonel Dunne) knew a man who had been in the West Indies with the 19th regiment, and came home with heart disease ; yet he only had a small pension for a year, and consequently was forced to go to work, and he dropped down dead. He also knew a man who was twice wounded in the Crimea, and who got bronchitis ; but he was refused a pension upon the ground that he had the seeds of the disease when he enlisted. He had heard of a man who had a good character, and who had been wounded, getting one of these temporary pensions, and afterwards walking about the streets of Limerick where he acted, as stated by a gallant Friend opposite, as a warning to people not to enlist. A sum of £4,400 was granted yearly for rewards for good conduct, but the £400, which was not drawn in consequence of a portion of the army being in India, and was paid there, was disposed of he knew not how, but at least was not expended in rewards to the army at home or in the Colonies, although actually voted for that purpose. Surely this is a paltry and injudicious saving, for such things acted powerfully upon soldiers. He was quite certain they would get recruits if they would only keep faith with the soldier. The hon. Member for Cumberland had made a suggestion, which he hoped would be carried out as far as possible. The late Secretary of State for War had paid great attention to the health of the army; but what was the present state of things? Not long ago in Bermuda yellow fever broke out. It had done so in 1853, and then certain recommendations of a sanitary kind were made; but on the second visitation it was found that not one of the precautions necessary had been carried into effect. The hospital was perfectly unfit for the reception of the troops. The precautions recommended would have saved the troops; but the sanitary condition of Bermuda was just as bad as its defence. He observed a Vote for the payment of a person to revise the mass of orders and regulations issued at various times to our army, and he thought it very important that the Code of Military regulations should be digested and cleared of all contradictory orders from the time of William III. downwards, so that there should be but one code of military law; but he did not understand why that duty should have been intrusted to a gentleman who, certainly, was a very successful novelist, but of whose business qualities the only proof afforded was that he had been secretary to some association of needleworkers. He thought the matter should have been intrusted to military men, a Board for the purpose should have been formed of officers thoroughly conversant with the details of the service, of experienced clerks from the different War Departments, and of army agents. These regulations comprised details on every possible subject, from the pay of a soldier to the conduct of troops on board ship, and to those of the army in the field, no civilian could ever understand them; and the appointment should have been made for the advantage of the public service, and not for the purpose of jobbery. Efficiency he held, as regarded the army, was much better than mere money; but what money was granted by Parliament should be well applied.

MR. POLLARD-URQUHART said, that he could corroborate the statement which had been made as to the inconvenience suffered by officers from India in not being allowed to land at Constantinople for fear of infringing the regulations. He hoped the arrangements would be revised with a view of securing greater comfort. He thought what had been said by his hon. and gallant Friend behind him (Sir Harry Verney) well entitled to the attention of the War Office. He also hoped the Government would favourably consider the suggestions which had been made for a slight increase in the pay of subalterns after a certain number of years' service.

COLONEL SYKES said, that he thought the noble Lord the Under Secretary for War must have a very good memory, or must be very careful in his note-taking, to be able to recollect all the questions which were asked of him, and he suggested that questions should not be cumulative, but each be answered as it was put. He was not quite sure, that the noble Lord had answered two questions he had formerly put to him—first, in reference to the balance of £533,433 of extra receipts that ought to be deducted from the general Estimate of the year; and secondly, with regard to the proportion of officers to men in weak as well as in strong regiments, and whether in the reduction of men, a ratio ought not to be preserved in putting officers on half pay. He thought the pay of subaltern officers insufficient. Unless an officer had means of his own he could not support himself with that respectability that every officer in the army was expected to sustain. The pay of officers in the British army was, indeed, higher than that of officers in the French army; but in this country everything was higher in price. It was very desirable with respect to filling up vacancies in the European troops in India that a considerable amount of bounty money should be paid as an inducement to reenlist rather than allow acclimatized men to leave the army. Such men could go through another ten years of service vigorously.

THE MARQUESS OF HARTINGTON said, the answer which it had been suggested that he should give to the observations of the hon. and gallant Member for Oxfordshire (Colonel North)—namely, that the allowance to officers of seven years' standing in the infantry but not in the cavalry formed part of a system for which it would be difficult to give any other reason than that it had always existed, was not exactly the reply which he was about to make. He found that the pay both of infantry and cavalry soldiers had received successive modifications since 1797. Originally the pay of cavalry soldiers was considerably higher, but in 1806 various alterations were made with a view of more nearly assimilating the pay of both branches of the service, and allowances were made to infantry officers including the 1*s.* per day to lieutenants of more than seven years' standing, which were deliberately withheld from the cavalry. There was obviously some difficulty in answering the appeal of the hon. and gallant Member, because it was impossible to contend that the rate of pay received by subalterns in the British army was liberal. Still, it must be recollected that there were few, if any, professions in which a young man was able to make a good living, and that there were other things, such as social position, excitement, prospects of honour and distinction, which, irrespective of pay, made the position of an officer greatly sought after. He should be very unwilling to lay too much stress on the argument he was about to use, knowing that officers were attracted to the army by motives much higher than those of pay, but still it could not be denied that any Government would lay itself open to very severe observation which proposed to raise the pay of officers at a time when the supply of good officers was quite equal to all the requirements of the service. It was scarcely worth while, he thought, to discuss the minute differences of pay between various branches of the service, bearing in mind that when alterations were recently made in the cavalry, those alterations tended not to the improvement of pay, but to the reduction of the price of commissions, by which means, as Lord Herbert anticipated, a class of men with moderate means, who before had been deterred by the expensive mode of living kept up in the cavalry, were attracted to that service, and no difficulty was now felt in obtaining a supply of excellent officers for the cavalry any more than for the infantry regiments. It must be remembered that if some ranks in the cavalry did not enjoy allowances which were granted to the infantry, they possessed some compensating advantage in the fact that promotion, generally speaking, was quicker in the cavalry. So with the adjutant. In the cavalry, unlike the infantry, he was not forced to burden himself with extra expense in obtaining his rank, being entitled to keep two horses in virtue of the commissions previously held by him. As to the observations of the hon. Member for Cumberland (Mr. Percy Wyndham), he had stated the other night what it was the wish and intention of the War Department to do with regard to the employment of pensioners and non-commissioned officers. They had already introduced a considerable number of them into their own office, but the change was one which must be carried out very gradually. Some of these new clerks had been employed to some extent in the civil branches of the War Department, and, as far as the experiment had been tried, he believed it had worked very successfully. It was the wish of the Department to employ as many men as possible belonging to the army, with a view not only of encouraging a most deserving class of non-commissioned officers, but also because it was believed that it would be more economical to employ them than a number of highly paid establishment clerks. The experiment would be fairly tried, but he could not promise the House that any great number would be suddenly appointed. It would give his noble Friend (Earl de Grey and Ripon) and himself great pleasure if other public offices could be induced to follow the example of the War Office, and employ military men; but it was hardly a matter upon which any pressure could be exercised, because, however desirable it might be to employ soldiers in such positions, there were, of course, a great many other persons deserving of employment, and no general rule could be laid down on the subject. At the War Office and at the Horse Guards he had already stated that, as far as was consistent with the interests of the public service, a preference would be given to military candidates. The hon. Member for Buckingham (Sir Harry Verney) had referred to several points connected with the army in India, especially as regarded leave of absence. Those observations ought properly to be addressed to the India Office, because directly a regiment reached India the War Department, as far as financial matters were concerned, ceased to have anything to do with it. The hon. and gallant Member for Queen's County (Colonel Dunne) stated that money would be saved if soldiers could be induced to re-enlist out there by the offer of a higher bounty. As a matter of fact, a very high rate of bounty was offered both in India and the colonies to soldiers about to return home, with a view of inducing them to re-enlist out there. It was quite possible that the offer of a still higher rate of bounty might induce men to re-enlist in greater numbers, but on this point the Indian Government must be assumed to be the best judges. For the granting of pensions, the War Department was in no way responsible. That duty, he thought wisely, had been separated from the administration of the army, and intrusted to the Chelsea Commissioners, who acted independently of any Government or Government Department, their business being simply to interpret the different warrants under which pensions were granted; and, as far as he was aware, they did so in a fair, if not a liberal spirit. The gravest assertion which he had heard made that evening was the one made by the hon. and gallant Member (Colonel Dunne),—namely, that in spite of the severe yellow fever which at one time raged at Bermuda, no precautions had been taken to guard against its return. He was quite aware of the fact that yellow fever had again broken out, but he heard for the first time that it was in consequence of the neglect of proper precautions.

Colonel DUNNE, in explanation, said, that it was not "in consequence" of the neglect of precautions, but because the precautions taken were insufficient.

The Marquess of HARTINGTON said, he had never heard before that any precautions recommended at Bermuda had been neglected, and hoped the hon. and gallant Gentleman would point out any shortcomings which there might have been in this respect. For, however anxious the late Lord Herbert might have been on the subject, his noble Friend now at the head of the War Department would yield to none in his anxiety to enforce sanitary regulations in the widest sense. With regard to the appointment of a gentleman for revising the military regulations to which the hon. and gallant Member (Colonel Dunne) had referred, the only regulations now under revision were those referring to the finances of the War Office, which related to the pay of the army, and were to be found in warrants which had been issued during a great many years. These had formed so complicated a mass of instructions and regulations as to be almost unintelligible to anybody but the clerks in the War Office who had spent their lives in the study of them. It seemed to the Government that the great object to be attained was to put these regulations into the simplest form, in order to avoid, as far as possible, any mistakes or misinterpretations which might be made in reading them, and the Government thought that no person was so likely to put these instructions into an intelligible form as a gentleman of legal education. The hon. and gallant Member (Colonel Dunne) said the appointment ought to have been given to an officer, but the education of an officer, of all persons in the world, would the least fit him for such a task. The duties of an officer consisted of superintending his regiment and in studying military affairs, and were not connected with the payments and allowances to the army. It might be said that there were many clerks in the War Office competent for the task. There were many clerks in the War Office who could make the regulations intelligible to those who knew the objects, but the desire was to make them intelligible to anyone who took up the book, and to enable the military man at once to see what allowances he was entitled to, if any. That seemed to him (the noble Marquess) a task that could be performed by no one but an intelligent and able lawyer, who, from his education and previous training, was the fittest person to codify them. At least, it would be performed better by such a person than either an officer or a clerk at the War Office. The codified regulations had not yet been published, but he was in hopes that when they were it would be seen that the appointment which had been made was not a bad one, and that the regulations would prove of great convenience to the army, as well as be the means by which a great amount of labour would be saved in the War Office. It had been stated that this was a permanent appointment, but he (the noble Marquess) need scarcely assure the House that that was not the fact. Mr. Hughes had been employed as any lawyer might be, for a particular undertaking, and when the work was completed his duties would cease at the War Office. The hon. and gallant Member for Aberdeen (Colonel Sykes) had stated that he had not answered the question put to him the other night as to a certain discrepancy in the Estimates. The statements in the Estimates showed only those sums which passed into the Exchequer through the books of the War Office, and the capitation grant was paid direct to the Exchequer, and therefore both sums did not appear in the account given in the Estimates. With regard to the reduction of officers which an hon. Member had referred to, the Government did not think it desirable to make any reduction. In reference to the question of the hon. Member for Longford (Mr. O'Reilly), he could only repeat the answer which he gave the other night, and which, to the best of his information, was perfectly correct. No orders were ever given from the War Office or the Horse Guards limiting the recruiting for the Royal Artillery to any class of Her Majesty's subjects throughout the country. If the hon. Member would put him in possession of the facts which had come to his knowledge, he (the noble Marquess) should think it his duty to institute an immediate inquiry, in order to ascertain who had taken upon himself a responsibility which he was not warranted in doing by any order from the War Office.

COLONEL DUNNE said, the different financial allowances were known to all the officers. He gave credit to the noble Lord for simplifying the regulations, but not for the choice of the person to perform the task. A lawyer did not know so much of military finance as a clerk in the War Office, or as an officer who spent half his life in studying the matter. He would ask the noble Lord whether there had been any recent order by which adjutants of infantry were to be also instructors of musketry in cavalry, and that without any additional pay?

MR. O'REILLY said, the circumstances to which he had alluded were simply these. In 1855 the Earl of Donoughmore commanded a regiment of Tipperary Artillery (the Earl himself was his authority for the statement), and it would be in the recollection of many present that that regiment was remarkable for the good conduct of the men—so much so that at one period it was contemplated to enrol the whole regiment as a body of the Royal Artillery. That proposal first met with the approbation of His Royal Highness the Commander-in-Chief, but it was thought there would be a difficulty in getting the officers to go along with the men. It would be seen, however, that there were other motives at work. In 1855 the officer charged in Ireland with the duty of superintending the whole recruiting for the Royal Artillery came to the head-quarters of the Tipperary regiment to beg for recruits for the Royal Artillery; but having learnt in a conversation with the noble Earl in command that the regiment consisted almost entirely of Roman Catholics, the recruiting officer said he was very much surprised that he should be sent to ask for recruits from that regiment, as he had strict orders from the officers in command of the Royal Artillery not to take a larger proportion of Roman Catholic recruits than one in six, and he was consequently every day rejecting eligible recruits. Earl Donoughmore was struck with such a monstrous statement, and his first exclamation was that if that were the case he did not think he would be justified in allowing his men to volunteer for the Royal Artillery, unless they did it with the knowledge of this circumstance. Owing to the remonstrance of the officer, however, and the anxiety to get volunteers, the noble Earl, actuated by a patriotism which did him honour, especially when contrasted with the sectarian bigotry of the Royal Artillery authorities, thought the crisis of a great war was not the moment for discussing such differences as these, and he reserved to himself the right of bringing this matter forward at a later period, and at the same time took the precaution that if his men volunteered into the Royal Artillery they should be kept together and treated in such a way that their religion would not be greatly interfered with by the rules of the army. The noble Earl allowed the volunteering to go on, and a very considerable number were enrolled in the Royal Artillery. He was in a position, if necessary, to give the name of the officer who made this statement. He thought these facts clearly proved what he had stated—that such orders were given and acted upon. And if these orders were not given by the authorities commanding the Royal Artillery, he thought the House would feel, and the country would feel, that it was absolutely necessary they should know on whose responsibility such orders were given, and whether they could be given and acted upon again. Another reason which induced the Earl of Donoughmore not to bring the subject forward at the time was that he felt, and naturally so, that the professional prospects of the officer who made the statement might be injured. He might also state that the same principle was acted upon in the Royal Artillery to the present day, as was shown by the fact that in volunteering a short time ago from the Foot to the Royal Horse Artillery all the volunteers who were Roman Catholics were rejected. That such was the case he was ready to prove, and to mention time and place if necessary. It was very curious to trace the origin of that peculiar prejudice in the artillery service. He had been told that long ago—prior to the period of Roman Catholic emancipation—the idea was that although Catholics were admitted to the service they should not be admitted to rifle corps. There were then only two corps armed with the rifle, the 58th regiment and the Rifle Brigade; and possibly it was thought that if all the Roman Catholics turned out, armed only with smooth-bores, the rifle regiments might be able to put them down. In the year 1858, when every regiment in the service was armed with the rifle, that religious exclusiveness was in force to a considerable extent with regard to what were still called rifle corps. He would, he might add, refrain from making any comments on the facts which he had stated. He could scarcely trust himself to do so. He hardly knew how to characterize a course of proceeding which, thirty years after the passing of the Emancipation Act, had for its object the exclusion of any class of Her Majesty's subjects from Her Majesty's service. Emancipation had freed the higher classes of Roman Catholics from almost all the disabilities under which they laboured, and he had yet to learn that it would be regarded by that House as sound policy to shut out their poorer fellow-countrymen from the objects of an honourable ambition. He, however, entertained the utmost confidence that the matter would be fully investigated by the War Department, and that a full explanation of the circumstances would be given as the noble Lord had promised.

Colonel NORTH said, that the answer which had been given by the noble Lord to the two questions which he had put to him was anything but satisfactory. There was no satisfactory explanation of why lieutenants of cavalry were deprived of an increase of pay after seven years, in the reason that in the year 1806 some grievous injustice was done to the cavalry. Then he asked why it was that the cavalry adjutant had not the same pay as the infantry adjutant. It was said that while the infantry adjutant had only one horse, the cavalry adjutant had two; but he (Colonel North) could not understand how that accounted for the inconsistency. As to there being no difficulty in getting officers, he could only say that he recollected when he had made a similar remark to one holding a very high office his reply was, "There are a great crop of fools growing up in the country."

Mr. COGAN said, that he thought the Committee must have been very much startled by the revelations which had been made by his hon. and gallant Friend the Member for Longford (Mr. O'Reilly), and had no doubt that the impression which they would produce in the country would be very great. There were very few hon. Members, he believed, who could have supposed it possible that any subordinate officer in the army would have ventured, against the authority of the Horse Guards, to take a step such as his hon. Friend had described, calculated as it was to cause not only dissatisfaction, but disaffection. Great credit was, he thought, due to the noble Earl (the Earl of Donoughmore) who had enabled his hon. and gallant Friend to bring the matter before the House; and he must say that the dissension which such a state of things was likely to produce among our own population appeared to him to be a far more fertile source of national weakness and danger than that possibility of an American war which had so recently formed the subject of discussion. He had no doubt, however, that, in the hands of the War Office, the grievance complained of would be inquired into, and a remedy provided. The case demanded that there should be a searching investigation, and that the severest censure should be passed upon the officer, whoever he was, who had presumed to draw distinctions so invidious between Her Majesty's subjects.

Mr. HENRY SEYMOUR said, it appeared to him very strange that the existence of such a state of things as this in the army should be unknown to the headquarters of the Royal Artillery and to the noble Lord; and it was still more strange that the noble Lord should be still uninformed, upon this second occasion, as to the existence of this alleged practice. He further wished to ask the noble Lord for information as to the expired service men in India, and whether the noble Lord would lay on the table a statement of the number of time-expired men during the last year in India; of the number who had taken advantage of the discharge, and had received their passage money; and of the number now in this country. He wished also to ask why it was that a paper similar to that which had, under the authority of an Act of Parliament, been presented with regard to the Naval Estimates, contrasting the actual expenditure for the service with the amount voted, and containing other valuable information, did not accompany the Army Estimates.

COLONEL DICKSON said, it would, of course, be perfectly superfluous to state after what the noble Marquess had said that there could be no doubt of his ignorance of what had taken place. At the same time he might add that certain allegations had come to his own knowledge which, although he could not follow them up completely, still led him to the conclusion that such orders as those referred to had been at least indirectly issued in some quarter. He trusted steps would be taken to inquire into the subject.

THE MARQUESS OF HARTINGTON repeated that he had made inquiries at the Horse Guards and at the War Office, and had ascertained that no such orders had been issued from either of those Departments. He would, however, again assure the Committee that a thorough investigation into the circumstances mentioned should be instituted, and inquiries as to whether any officers of the Royal Artillery had taken upon themselves to do what had not been authorized at head-quarters. A Return of the number of time-expired men who had taken their discharge in India and the colonies had been moved for by the hon. and gallant Member for Oxfordshire, and would be presented as early as possible. The other paper to which the hon. Gentleman (Mr. H. Seymour) had referred was being prepared, and he would lay it on the table when it was completed.

MR. HENRY SEYMOUR suggested that it would be more convenient that this account should be produced before the discussion of the Army Estimates commenced.

THE MARQUESS OF HARTINGTON admitted that that would be convenient, but considerable time must necessarily be occupied in making up the accounts.

Question put, and *agreed to.*

(2.) £1,205,800, Commissariat Establishment, Services, and Movement of Troops.

(3.) £574,256, Clothing Establishments, Services, and Supplies.

MR. MONSELL said, that he wished to inquire how much of the clothing of the army was obtained from the establishment at Pimlico, and how much was supplied by contract. He also desired an explanation of a note stating that the clothing of the Irish constabulary was provided for by the Government clothing establishment.

THE MARQUESS OF HARTINGTON said, that the information as to the quantity of clothing supplied by the establishment at Pimlico and obtained by contract, desired by the right hon. Gentleman, was, for the first time, contained in the appendix. The reason for the Vote as to the clothing of the Irish constabulary was that the contracts for the supply of such clothing were managed by the establishment at Pimlico.

MR. MONSELL said, that the appendix showed only an expenditure of £44,783 upon tunics supplied by contract, which could hardly be correct.

COLONEL DICKSON suggested that some tunics might have remained in store from the previous years.

Vote *agreed to.*

(4.) £609,900, Barrack Establishments, Services, and Supplies.

(5.) £44,335, Divine Service.

MR. HENRY SEYMOUR said, that he wished to ask whether that sum included the charge for Roman Catholic and Presbyterian services?

THE MARQUESS OF HARTINGTON said, that it did.

Vote *agreed to.*

(6.) £26,300, Martial Law.

SIR JOHN TRELAWNY said, that he wished to ask the noble Marquess the Under Secretary whether the Queen's regulations were observed with equal strictness in all branches of the service, for instance, in the Guards as well as in the line; and also whether any Report had been made to him of commanding officers having used ungentlemanly language in addressing their men. It was not necessary for him to go into particulars, but he could, if it was needed, give instances, in which not only during actual operations, when it might be pardoned, but in time of peace, general officers had employed language which they ought not to have used towards their equals, still less towards their inferiors, who could not reply.

The Marquess of HARTINGTON said, that the Queen's regulations applied equally to all corps in Her Majesty's service, and, as far as he was aware, were equally observed by all. No instance of the use of bad language by commanding officers had ever come to his knowledge, nor, unless it had been made the subject of a court-martial or a court of inquiry, would such a complaint come under the consideration of the Secretary of State for War. The Commander-in-Chief was responsible for the discipline of the army, and all such cases should be referred to, and would be disposed of by him.

Sir JOHN TRELAWNY said, that it was that of which he complained. He had repeatedly heard the right hon. Gentleman the Member for Huntingdon (General Peel) say that the Secretary of State for War was responsible for everything that took place in the army; and he therefore looked to the noble Marquess the Under Secretary to give him a satisfactory reply upon every subject connected with our military forces. The Committee was now asked to vote a sum for the administration of martial law, and he was given to understand that that law was often violated by those who ought to set a better example.

The Marquess of HARTINGTON said, it was impossible to reply to statements so general as those made by the hon. Baronet. If the hon. Baronet would state publicly or to him in private what particular cause of complaint he had it should be inquired into.

Sir JOHN TRELAWNY said, he would give the noble Lord an instance in private. He would not do so publicly, as such a course would tend to the injury of the army.

Sir HARRY VERNEY said, that being connected with the army he thought it incumbent upon him to state that no language could be more unexceptionable than that heard at the mess. [Sir John Trelawny: I did not refer to the mess.] The same observation would apply to the treatment which officers extended to the men under their command. Of course, exceptional instances would always occur, as they did in all positions of life, but, as a rule, no class of society was more exempt from the charge made by the hon. Baronet than were the officers of the army.

Vote *agreed to.*

(7.) £246,544, Army Medical Establishment, Service, and Supplies.

Sir John Trelawny

(8.) £786,400, Disembodied Militia.

Colonel DICKSON said, he wished to call attention to the alteration that had been made this year for calling out the disembodied regiments of militia. Last year the non-commissioned officers were called out for twenty-eight days first for training, then the recruits were called out for fourteen days, and the rest of the regiment for twenty-one days. That was a very good arrangement, but this year the recruits were only to be called out for seven days only before the regiment. This alteration had the effect of drawing the attention of the adjutant and non-commissioned officers from the recruits to the rest of the regiment before the former were equal to the duties expected of them. The drill of a militia regiment he thought of less importance than its organization. He was glad to see that the War Office had shown a great desire to improve militia regiments, and with regard to the slight increase of expense he thought the money might be spent with greater advantage if the War Office had increased the number of staff serjeants than by increasing the number of days for calling out the regiments. The extra seven days would cost nearly £500, whereas ten staff serjeants might be appointed who would be of greater use in keeping the regiment in a better state. He approved of their reducing the strength of the regiment to 500 men rather than making them 700 or 900 strong. He hoped the noble Lord would next year go back to the fourteen days' drill of the recruits, because increasing the staff serjeants would be more conducive to the efficiency of the service.

Mr. SHAW LEFEVRE said, he was informed that adjutants of militia and Volunteer regiments had been in the habit of purchasing and letting their appointments for sums varying from £2,000 to £3,000, and he was desirous of knowing whether any measure had been adopted to put a stop to such a practice.

The Marquess of HARTINGTON said, the alterations with regard to the drill of the militia referred to by the hon. and gallant Gentleman (Colonel Dickson), had been made solely upon the recommendation of the militia officers. It was stated that the reduction which had been made in the amount of drill had proved very injurious to the training and discipline of the various corps, especially where they had to go through a certain amount of musketry practice. Almost all of the commanding officers were of opinion that the seven days' extra training was of the greatest advantage to the men. The hon. and gallant Member (Colonel Dickson) had agreeably surprised him by stating that drill was soon learnt, as such was not the view usually taken by hon. Members sitting near that hon. and gallant Member. He learnt from the Reports of the Inspector General of Militia, and of the various officers in the Line who had inspected these militia regiments, that a great deal had been done in the way of training them, and he believed that many of those regiments had attained such a state of efficiency, not only in point of numbers, but in point of drill, that they would be available in case of necessity. He agreed with the hon. and gallant Member that a fortnight's preliminary drill for recruits would be most desirable and would be of great service, and although it could not be given them this year, with a week's more training of the whole regiment on account of the great expense to the public, he hoped next year the proposition would be carried out. In reply to the hon. and learned Member for Reading (Mr. Shaw Lefevre) he was sorry to say he was aware that in some instances large sums had been given by militia and Volunteer adjutants for their appointments. It was a practice not only not sanctioned by the authority of the War Office but exceedingly injurious and in direct contravention of regulations and of military law. Last year the War Office issued a circular to all the lord-lieutenants directing them when vacancies were to be filled up to call upon the commanding officers to assure them that the new adjutant was not recommended by the retiring officer. This was all they could do, as transactions of this kind might be so managed as to make it almost impossible to prove them. If the commanding officers did their duty in selecting proper men to fill the office of adjutant the object of any illegal bargain between the incoming and the retiring officers would in all probability be frustrated.

SIR JOHN TRELAWNY said, he thought the remedy was not so hopeless as the noble Lord appeared to imagine. He thought the remedy was by the War Department keeping a list of persons competent to fill the post of adjutant in a regiment, and when the recommendation of the lord-lieutenant was sent up, for the War Office to select the first man on the list. There could be no doubt that the system would continue, unless some effective check, similar to that he suggested, was adopted.

COLONEL DICKSON said, he considered it would be impossible to stop the sale of the commission, and this was a warning to those who talked so much to that House about stopping the sale of commissions. The practice had notoriously been winked at for years. He, therefore, complained of the War Office issuing the circular referred to by the noble Lord. Everything was worth just what it would fetch, and if it was worth anything somebody would find means to purchase it. The remedy proposed by the hon. Baronet would not stop the practice complained of, and it would throw an unjust amount of ill feeling on the officer who attempted to stop it. It would be unjust to those officers who had purchased if they were now to turn round and stop the system. It was a system plausible to argue upon, but it was not so easy to stop. It should have been done leng before this—in fact, it was now too late to attempt it.

LORD ELCHO said, the Volunteer force was yet young, and he trusted the practice, if it existed at all, would be discouraged in every possible way by the War Office. As it was at present quite exceptional it might easily be put an end to. The fact was that the adjutant held a post of so much importance to the commanding officers that the selection ought to rest with the latter, and if they took sufficient care in their selection the practice might be stopped. He trusted the War Office would not adopt the suggestion of the hon. Baronet (Sir John Trelawny). When once appointed there was no getting rid of him. Like taking a wife, it was for better or worse, except that in the latter case there was the Divorce Court. You could get rid of your wife if you disagreed, but you could not get rid of your adjutant. The whole conduct, well-being, and efficiency of a regiment depended upon the adjutant. The commanding officer had to rely almost entirely upon him, and it was quite right that commanding officers should be allowed time to look out for the best man, and obtain, if possible, one who perfectly suited them.

COLONEL DUNNE said that the whole matter ought to be left to the discretion of the commanding officer. The purchase and sale of adjutancies was a most mischievous practice; and he had done everything in his power to prevent it. But it was a practice which had crept in, and the reason was that the War Office sold commissions of deceased officers itself; and the crime, the vice, or the folly of the practice was by their connivance at least.

Mr. C. P. GRENFELL said, hon. Gentlemen seemed to be unaware that these appointments were in the hands of lord-lieutenants, and he believed that all lord-lieutenants who had set their faces against the purchase of adjutancies in the militia, had been able to put a stop to the practice. He did not believe that the War Office had in any way connived at the practice. He believed that the sales took place with the permission of the commanding officers, who in this way got rid of adjutants who displeased them.

Colonel NORTH said, he could not see what lord-lieutenants had to do with the matter, if the person interested gave his undertaking that, neither directly nor indirectly, had he received any money consideration. A friend had consulted him as to what he should do in relation to a change of this kind, and all he (Colonel North) told him was to read his certificate, which declared that neither directly or indirectly had money passed, and if after reading that, he chose to take money he was not a fit associate for any gentleman.

Mr. BASS said, he wished to observe that while in the army a regular purchase system prevailed, yet in the militia and Volunteers such a system ought to be unknown. He regretted that the noble Lord (Lord Elcho) had pledged himself that the sale of adjutancies did not take place in the Volunteer corps. Although both buyer and seller declared upon their honour that they had not been parties to any sale or purchase, yet it was a fact that such things did occur. It appeared, therefore, that there was a conventional mode of getting rid of a sense of honour, and it would be well for the noble Marquess to consider by what means he could render such gentlemen conscious of a sense of honour and duty in that direction.

General PEEL said, that upon referring to the portion of the *Army List* devoted to the militia, he found a note that all appointments to second-lieutenancies and ensigncies were suspended, and that vacancies were shown by stars. Upon further examination, he found that in some regiments there were hardly anything but stars. He would wish the noble Marquess to state the number of vacancies among the officers of militia regiments. Any regiment which was without a sufficient number of officers could not be said to be in a satisfactory state. It was just the opposite to the principle which prevailed in Canada, where it was said there were no men, but a sufficient number of persons were qualifying themselves for officers. Perhaps the noble Marquess would state why the suspension of appointments had taken place.

Colonel DUNNE said, that being in command of a militia regiment, he could speak upon the point referred to by the right hon. and gallant Gentleman. In his regiment until lately he had but two subalterns, but within the last week or two he had succeeded in getting three more officers. The cause of the difficulty was that no young man would enter as an officer into the militia unless he had a certain amount of fortune. That difficulty was not confined to Ireland, but was equally felt in this country. In reply to the hon. Gentleman he begged to say that these appointments did not rest with the lord-lieutenants, but with the War Departmant.

The Marquess of HARTINGTON said, he admitted that there were many vacancies for subalterns in the militia. The lord-lieutenants gave various explanations of the cause, but probably the main cause was that stated by the hon. and gallant Gentleman opposite that a certain amount of private fortune was necessary. Something also was due to the great competition for commissions in the Volunteer service, which had no doubt diminished the supply for the militia service. The fact that those numerous vacancies in the militia existed was to be regretted, because he agreed with the right hon. and gallant General that a corps could not be in a satisfactory state without a proper complement of subalterns.

Vote *agreed to.*

(9.) Motion made, and Question proposed,

"That a sum not exceeding £91,000, be granted to Her Majesty, to defray the Charge of the Yeomanry which will come in course of payment during the year ending on the 31st day of March 1866, inclusive."

Mr. HENRY SEYMOUR said, that he wished to ask, whether the War Department intended to consider the necessity of making such changes in the Yeomanry as would make them fit to act as an auxiliary cavalry force to the Volunteers and the militia. Some changes were necessary in drill, in arms, and even in dress. The Yeomanry was an expensive force. The drill was not sufficient to make the force equal to mounted riflemen, even if their arms were such as to justify such an expectation, which they were not, as with the carbines now in use it was almost impossible to hit any object. It was a subject that deserved the consideration of the War Department.

MR. LAWSON said, that last Session they were told by the noble Lord, that as this force was totally unnecessary for the defence of the country they would not be called out for the annual training. Accordingly last year no Vote was proposed in the Estimate for the expense of the usual week's drill of the Yeomanry; a Motion was made on the subject by the hon. and gallant Member for Beverley (Colonel Edwards), but the House affirmed the decision of the Government. A fortnight afterwards a deputation of Yeomanry colonels waited on the noble Lord at the head of the Government and pressed him to reconsider his determination. The noble Lord told them that, in consequence of the New Zealand war being brought to a conclusion, he should consent to the Yeomanry being called out as usual, and a supplementary Estimate was brought in for that purpose. It was rather a singular reason to allege for a warlike demonstration that war was at an end. He (Mr. Lawson) hoped the war in New Zealand was now really drawing to a close; and following the noble Viscount's argument, that was a sufficient reason why the House should now refuse to vote this sum for these antiquated and rather clumsy warriors. He, therefore, moved that the Vote be reduced to the sum of £43,117, which was as nearly as he could make out the cost of the week's permanent drill.

Whereupon, Motion made, and Question proposed,

"That a sum not exceeding £47,897, be granted to Her Majesty, to defray the Charge of the Yeomanry, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive."—(*Mr. Lawson.*)

THE MARQUESS OF HARTINGTON said, that he thought the hon. Gentleman had not quite correctly stated the circumstances under which it had been proposed last year to omit this Vote. It was then said that although it was desirable that the Yeomanry force should be annually trained, still it was considered that as a matter of economy and without any loss of efficiency they might permit the training to be suspended for a year, in which, like the last, we were incurring a large expenditure for the war in New Zealand. However, after a very close division, and after hearing the representations of Yeomanry officers, the noble Lord at the head of the Government did think, considering that the accounts from New Zealand then appeared more favourable than the reality subsequently turned out to be, that he might consent to insert the Vote. It was anticipated then that ample provision had been made for the New Zealand war, though he was afraid it would be seen when the statement of excesses and deficiencies was laid before the House that the Votes had been exhausted. He did not understand the ground on which the hon. Member proposed to strike out the sum, as the hon. Gentleman had not stated any peculiar circumstances which should lead to the Yeomanry not being called out this year. If he thought the Yeomanry clumsy or useless, he ought to have moved to omit the Vote altogether; but he had not given any reason why the training of the Yeomanry should be omitted this year any more than any other. With regard to the suggestion of the hon. Member for Poole, the War Office had not lately had under its consideration any proposal for changing the character of the Yeomanry force. The whole subject of the constitution and organization of the Yeomanry force had been considered two or three years ago, and the necessary improvements had been proposed. The Yeomanry force was essentially a cavalry force. The men composing it were not of the character of mounted rifle corps, and probably it would not be beneficial or agreeable to their feelings if an attempt were made to transmute them into mounted rifle corps.

LORD ELCHO said, that he thought there was a great deal in the suggestion of the hon. Member for Poole, which did not go to convert the Yeomanry into mounted rifles, but to make such changes in their drill as would make them more efficient. In Hampshire, a cavalry corps had been raised by Colonel Bower, which he believed was regarded by Colonel M'Murdo as one of the most efficient forces ever raised, though he believed it comprised only two troops. Colonel M'Murdo had recently told him that he regretted there were not more corps drilled on the same principle, and that he had seen in France three cavalry corps which had been drilled on the model of Colonel

Bower's corps, entirely from the circumstance of their manœuvres at one of the Brighton field days having been remarked by some French officers who were present. The subject was certainly worth the consideration of the Government.

Mr. LAWSON said, in merely proposing the omission of the item and not of the whole Vote, he was following the example of the Government, who last year made the same Motion, and supported it by excellent speeches, which had induced him now to take the same course. If there had been any chance of success he should have been very glad to move the omission of the whole Vote. The next question was not whether they were useful or not, but whether the Yeomanry were wanted for the defence of the country.

Mr. HENRY SEYMOUR said, that the noble Marquess had not answered his question about the improved arms—rifle carbines—for the Yeomanry.

The Marquess of HARTINGTON said, he believed that some of the Yeomanry regiments were already supplied with improved carbines. The whole of the regular cavalry were not yet supplied with them; but as the arming of the cavalry proceeded, no doubt improved carbines would be issued to the Yeomanry.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(10.) £334,900, Volunteers.

Colonel DUNNE said, he hoped that some arrangement would be made by which non-commissioned officers going into the militia would have the same advantages as those who went into the Volunteers.

The Marquess of HARTINGTON said, a circular was issued early this year by which both services were put upon the same footing in this respect.

Colonel DUNNE said, he was afraid that the circular had not been so interpreted.

Vote *agreed to.*

(11.) £46,000, Enrolled Pensioners and Army Reserve Force.

General PEEL said, he wished to ask a question respecting the mysterious item relating to the Army Reserve Force. The number of enrolled pensioners was gradually falling off. But where were these army reserves? Who ever saw them? Under what terms were they enlisted? What were their numbers? They were told in the explanation of the Vote that they were gradually increasing. This was the very class of men whose services he should wish to see attached to the militia. He wished to know whether this Army Reserve Force was to be kept up as a separate body.

Colonel NORTH said, he wished to know who commanded it? Was it General Falstaff?

The Marquess of HARTINGTON said, the force was scattered all over the country, perhaps not more than ten or a dozen in any one place. The men were called out for drill ten days in the year, and perhaps there were from 1,000 to 1,500 of them. He quite admitted that the Act under which the service was raised was practically a failure, and he did not think the force was of much value. It was impossible to disband the men who already had been enrolled, but it was the intention of his noble Friend the Secretary for War (Earl de Grey) to inquire into the subject this year, when considering other subjects, including that of recruiting, and if some arrangement could not be made to render the Army Reserve system more successful after this year it would be abandoned altogether—that was as far as any increase of the force. The men were drilled by a regimental staff officer, so that there was no charge, therefore, for a staff for this force.

Mr. HENRY SEYMOUR said, he wished to ask for some information as regarded the number of enrolled pensioners and the number of the Volunteers, which were not stated in the Estimate.

Colonel DUNNE said, that the number of the Army Reserve this year appeared to be the same as it was last. There must be some casualties, and he should like to know whether any addition had been made to the force by recruits since last year.

The Marquess of HARTINGTON said, he saw there had been some slight addition to the force since last year. He had omitted to mention the number of the Volunteers, and thought it might be satisfactory to the House to know them as compared with last year. On the 1st of December, 1864, the number of enrolled Volunteers was 170,615, as against 162,935 on the 1st of December, 1863. On the 1st of last December the number of efficient Volunteers was 124,181, as against 113,522 on the 1st of December in the previous year. And what was still more satisfactory, the number who had qualified themselves for the additional 10*s.* a year was 62,497 on the 1st of last December, as against 47,872 on the 1st of December, 1863. He thought that these figures showed a very considerable increase in the numbers, and a very gratifying progress in the efficiency of the Volunteer force.

Captain JERVIS said, he wished to ask for some explanation with respect to the appointment as lieutenant-colonels of the Volunteer force of a number of railway engineers and railway managers. He presumed that the object of the Government in those appointments was to have the services of the navvies in case they might be required, and to obtain facilities for the transport of troops in case of hostile invasion; but no communication on the subject had taken place between the Government and the railway boards, and the gentlemen who were to be appointed lieutenant-colonels had no power of themselves to render the assistance that he supposed was required of them.

The Marquess of HARTINGTON said, that the gentlemen alluded to were to form an engineer corps and to fill the same position in respect of the Volunteers, as the officers of the Engineers did in respect of the army, and the object of the Government was to have their services in case of emergency. No doubt the very eminent engineers and contractors connected with the railways might render very important service in the construction of works and lines of railway, and in affording assistance to the military authorities in the transport of troops. Only lieutenant-colonels and majors would be appointed in the first instance; but if the plan worked well the appointments might be extended to the rank of captain, and privates would perhaps be enrolled to serve under them, if it were found that corps could be raised composed exclusively of persons connected with railways.

Captain JERVIS said, that the noble Marquess had not referred to the appointment of railway managers as lieutenant-colonels. What he wished to point out was that the Government had not consulted the railway authorities, who alone could afford them the assistance that might be desirable.

Vote *agreed to.*

(12.) Motion made, and Question proposed,

"That a sum, not exceeding £972,900, be granted to Her Majesty to defray the Charge of the Manufacturing Departments, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive."

Sir MORTON PETO said, that on the night the Army Estimates were introduced the noble Marquess the Under Secretary of State for War referred to a statement of his in connection with the Navy Estimates. He wished to set himself right with reference to it. That statement had reference to the cost of the armament for the new forts. He made it after as careful an inquiry as it was possible for him to have instituted, and he still believed that it would be borne out by the facts. He was sure the Committee would feel with him that it was most important that such a statement should not be made by a Member of that House without a most careful inquiry. He had stated that the 1,944 guns composing the armaments required for the several forts would cost £17,000,000. The noble Marquess had since stated that they would cost only £3,000,000, and he now asked the noble Marquess upon what calculations this Estimate was founded?

The Marquess of HARTINGTON said, that he would explain the basis of his Estimate. The hon. Member for Finsbury had stated that 1,944 guns would be required, and he would take those figures as correct. But of that number only about 1,200 would be required for sea defences. The remainder would be for land defences, and would be chiefly provided from the stock of guns already in existence, because, for land defences it was not necessary to have the guns of such large calibre and such great weight as those to be used against iron-plated ships. Of the 1,200 guns for sea defences, some would be 7-inch guns of 140 cwt. There would be a few positions in which 22-ton guns would be required; but, as he had stated in an earlier part of the evening, there would be only very few positions in which such a weight would be wanted. The 12-ton gun had proved itself capable of piercing with a steel shot any iron plate we knew of as being used on a vessel. The greater number of the guns would most probably be guns of from 9 tons to 12 tons weight; but, taking a 12-ton gun as representing the average armament for sea defences, the cost according to present prices—£100 per ton—would be for 1,200 guns

£1,440,000. It was, however, probable, if certain experiments at present in progress should turn out to be successful, that this amount would be reduced to but little more than one-half that sum. With regard to ammunition, the hon. Member for Finsbury was no doubt correct in saying that 200 rounds per gun was the ordinary supply; but it did not by any means follow that the 200 rounds of shot need be all of steel shot, because batteries in the position of those on which the armaments were to be placed would have to act against other ships besides iron-plated vessels. It is believed that not more than half the number of rounds of shot per gun need be of steel. The price of steel shot might hereafter be reduced; but taking it at the present rate the cost per round of ammunition for a 12-ton with steel projectiles would not exceed £10 per round. At this rate the cost of the ammunition for 1,200 guns would be £1,200,000, which added to £1,440,000, the probable cost of the guns, made £2,640,000. The gun carriages and traversing platforms at £100 a piece would cost in addition £120,000, which, added to the £2,640,000, gave a total of £2,760,000. That sum comprised only what was necessary for the sea defences. The armaments for the land defences might to a great extent be composed of our cast-iron guns and the 110-pounders already in our possession.

Sir MORTON PETO said, he found allocated to the forts at Spithead in the Report of the Commission, and the plans formed in consequence, 915 guns; at the Needles, 81; at the Isle of Wight, 71; at Plymouth, 262; Pembroke entrance, 43; Portsmouth, 200; the entrance of the Thames, 110; the Medway, 172; Dover, 45; and Cork, 45 — in all 1,944. The number in France was 2,044. He would take the average cost of these 1,944 guns at £4,066 per gun, the size being 9-inch bore, 11-inch, and 15-inch, and the cost obtained from manufacturers of the highest standing who had supplied not only our Government, but the most important Governments on the continent. Hon. Members must be aware that the cost of the gun depended very much upon its size, and he had made his calculation upon the assumption that of these 9-inch, 11-inch, and 15-inch guns, there would be one-third of each kind. It would be remembered that, with regard to these Spithead forts, for which nearly 1,000 guns would be requisite, he had originally moved that the decision upon them be deferred, and so important was the matter considered that it was deferred for a year. It was when they came to the discussion again that the House, upon the earnest recommendation of the Premier, and the statement by the Secretary to the Admiralty on the part of the Government that they had at last discovered a gun of so great a calibre that even at the distance of the 2,000 yards, which separated the forts from each other, a ship, though iron-clad, could not by possibility pass under such guns and escape, that the construction of the forts was sanctioned by the House. He thought, therefore, he was justified in taking it for granted that large guns would be mounted upon these forts, that it was intended to make their armaments effective, and that the noble Lord would never propose that these forts should be erected at Spithead, at the entrance to the Thames, and other places, unless the guns should be effective for the purpose for which they were built. He had taken pains to ascertain what other Governments were doing in this respect, and he found that the Russian Government was ordering guns for forts placed in a similar position. He would now tell the Committee that he held in his hand information which could not be gainsaid, because he had it direct from the manufacturers for that Government themselves. One manufacturer was at the present time making 220 guns for the entrance of their harbours, and their size was 8-inch, 9-inch, and 11-inch. Those guns were bored, but they were not rifled, and the average price was £3,525 per gun. He did not believe that any guns could be constructed of a kind to be used in such a position unless they were either entirely of steel, or their inner case of steel. And now with reference to the price of ammunition, &c. He found that the guns would throw steel projectiles of 500lb., 600lb., and 700lb. The average would therefore be 600lb. The cost of this 600lb. steel projectile would be £16 10*s*. The charge of powder, according to the proportion generally used, would be 120lb. for a 600-pounder, and its cost would be £3 10*s*., taking the cost of powder at 7*d*. the pound. Then, taking cartridge cases, patent wads, tubes, &c., at 30*s*., the entire cost would be £20 per round. Now, taking the cost of our 1,944 guns at what the Russian Government paid for theirs, £3,525 each, the total cost would be £6,852,600. Then 100 steel shot of 600lb., 100 ditto shell at £20 per round—

200 rounds and equipments — would cost £7,776,000, making a total for guns, ammunition, &c., of £14,628,600. Now, he was sure the Committee would feel that he had not been very far wrong in his previous Estimate of £17,000,000, which was based on calculation for larger guns, if the Russian Government were ordering such guns as he had described. It was too much to say that the defences at Portsmouth were land defences in any sense of the word. There were positions in the Isle of Wight in which it might be possible to say that the guns there were land defence guns. What those at Freshwater Bay were intended to be he could not tell. He could not say for what purpose they were ever placed there. He had taken guns of the smaller as well as the larger calibre into account, and had also taken it for granted that if we were voting money for sea defences we were not to have them less effective than the Russian Government at the present time. He was prepared to give the data to the noble Lord, and he hoped that the Committee would feel that he was justified in the statement which he had made the other evening.

COLONEL SYKES said, he wished to inquire how it was that the Government asked in so vague a manner for large sums for guns and small arms. Unless their calculations were based upon the fact that the army would require so many cannon, naming weight and size, and so many thousand stands of small arms, naming rifles, bayonets, and swords, they were proceeding only on guess work. A sum of £93,000, deducting the value of materials in hand, was asked for guns. Well, then, how many were required, what were the guns to weigh, and what would be the cost of the metal? They had not a word of such information. If they had contracts for these things, they should see their way, they should know that they would have to pay a certain sum according to the contract price. The French Estimates showed these details. They contracted for all the arms for their 400,000 men, and he supposed the French were not armed in a manner inferior to ourselves. The same was done with reference to their large guns. Unless he obtained some explanation from the noble Lord, he should move the omission of £93,000 for the gun factories.

Motion made, and Question proposed,

"That the Item of £93,556, for materials at the Royal Gun Factories, be omitted from the proposed Vote."—(*Colonel Sykes.*)

MR. COX said, he wished to ask for information as to the increase of £10,000 in the Vote for the Royal Small Arms Establishment, of which no explanation was given in the Estimate.

CAPTAIN JERVIS said, he should oppose the Amendment, and assured the House that not only was £93,000 required for the Royal Gun Factory, but much more.

MR. WATKIN was referring to the armament of the Spithead forts, when

THE CHAIRMAN called the hon. Member to order, ruling that he could only speak on the item "materials for gun factories," upon which an Amendment for its omission had been moved.

MR. HENRY SEYMOUR said, that upon an item in the Vote for the gun factory there appeared to have been nearly £58,000 more upon the Estimate than had been expended, and he wished to know what assurance they had that they were not now required to vote a larger sum than was required. He thought they were really proceeding in the dark with the Votes, as they had no such paper as that to which he had already alluded showing the differences between the Estimate and the actual expenditure. It would be thought more satisfactory to the Committee, if, before they again met, they should have some paper placed in their hands showing some reason for those extraordinary discrepancies between the Estimate and expenditure.

MR. WATKIN said, he wished to appeal to the Chairman to know whether, the total of the Vote having been the subject of discussion, he was out of order in referring to the remarks of his hon. Friend (Sir Morton Peto) respecting the Spithead forts.

THE CHAIRMAN said, that if the Amendment had been for the reduction of the total Vote, the hon. Member would have been in order in speaking upon the whole Vote; but as the Amendment was only for a reduction on a particular item, hon. Gentlemen must confine their remarks to that item until the Amendment was disposed of.

THE MARQUESS OF HARTINGTON said, it was true that the French Estimates professed to show the exact number of guns, small arms, swords, and other warlike stores which were to be procured by the money voted in each year; but he did not think that the French Chambers obtained any great amount of information from this statement; because on reference to the Estimates for successive years he found that the number of guns and arms of all sorts procured always remained at exactly the same figure and price, whereas the audited accounts showed that these figures were not correct in any way whatever. No doubt it was the fact that the Estimates were prepared by the heads of the manufacturing department upon the basis of a certain number of arms which it was proposed to manufacture. But it had never been the practice to adhere very closely either to the number or the description of these arms; and at this moment, when all these points were so unsettled, it was more than ever difficult to bind themselves at the beginning of the year to manufacture a particular kind and number of guns during the year. Such an Estimate, if laid before the House, would either compel the authorities to adhere to a particular kind of gun, although some more useful kind might afterwards have been invented, or else the information would be of little use. Perhaps in future years, when this branch of the Estimates rested on a more certain basis, further information might be given to the Committee, but in no case would it be possible to give an Estimate which should not be departed from without great inconvenience to the public service. Moreover, it had always been thought objectionable to publish in this manner the exact number of arms which they proposed to manufacture. It would be inconvenient to do so on account of the knowledge that would thereby be afforded to foreign countries, and in many instances it would be inconvenient also that it should be known by the privat trade that the Government intended to manufacture a certain quantity and description of arms themselves, leaving the rest to be contracted for. The matter should be investigated, and, if possible, some kind of appendix, such as that suggested by the hon. Member for Poole (Mr. Henry Seymour), should be prepared for the information of the House. As it was necessary to limit themselves to the item of the gun factory, he would take another opportunity of replying upon the general Vote.

Colonel SYKES said, that as he did not desire to restrict the discussion he should withdraw his Amendment.

Motion, by leave, *withdrawn.*

The Marquess of Hartington

General PEEL said, he had complimented the noble Marqeuss on the general clearness and fulness of the Estimates, but here there seemed to be a falling off in this respect, because while formerly it used to show what proportion of arms was intended for the naval and what for the military service, this was now no longer the case. They never gave the exact number of guns; but the practice had been to give the amount for the navy and the amount for the army. He begged to ask the noble Marquess for some explanation as to certain Votes on page 7. The first matter he wished to have some explanation on was with reference to the laboratory at Devonport. He wished to know whether it was intended to transfer the stores at Devonport from the charge of an artillery officer to the Store Department. If so, such transfer would be in opposition to two Minutes of the War Office, strongly recommending that the stores should be under the charge of an artillery officer.

Mr. WATKIN said, he wished to observe that the noble Lord who represented the War Department stated that the cost of arming the forts would be £3,000,000, while the hon. Member for Finsbury said it would be £17,000,000, and had brought forward a calculation based on the proceedings of the Government of Russia to show that it could not be less than £14,000,000. The number of guns to be placed in the forts was 1,944, and the noble Lord stated that he had in stock 744 of the guns, thereby reducing the number wanted to 1,200. But the Committee would like to know where these 744 guns were, what was their calibre, whether they were of iron or steel, and whether they could be had without being paid for. The noble Lord, having reduced the number of guns to 1,200, assumed that they were to be only 12-ton guns; but when the fortifications were first voted the assumption was that they were to be armed with ordnance equal to any that could be placed in position by any Government with which England might have to compete. The hon. Member for Finsbury referred to the example of Russia, and told the Committee that 1,944 guns such as he described would cost a certain sum. The hon. Member also took the service of ammunition for each gun at 200 rounds, and it was to be supposed that no Government preparing for defence would make an estimate for a less service of ammunition. Were they, then — in order that the Budget might answer to certain calculations — to delude themselves into the notion that £3,000,000 only would be required? The hon. Member's calculation appeared to be correct, and he hoped the noble Marquess would give some explanation.

LORD ELCHO said, he fancied that the battle of the guns was likely to be as remarkable as the battle of the gauges, and though he abstained from taking part in it, yet he was prepared to believe, from what he knew of the management of the War Department with respect to small arms, that its management with respect to big guns could not be satisfactory. If he thought he should meet with any support he would move that the Vote in regard to the manufacture of small arms should be omitted, not as not being necessary, but as not being properly spent by the Government. A Committee was appointed in 1862, and they reported that of three descriptions of small arms one was superior, and yet the Government had gone on manufacturing those arms which the Committee rejected. Now that was not the way to go on, and if it were pursued by any firm or person in this country they or he would soon become bankrupt. He believed that the officers employed by the Government were very efficient men, but he could not understand why the Government persisted in manufacturing an arm which was considered inferior to other arms, and he thought that they had a right to ask whether it was intended to continue the manufacture of the rejected arm, or to adopt the arm recommended by the Committee appointed by the Government? The noble Marquess said, as he understood, that the Government had gone on manufacturing the arm which had been condemned because the best description of breech-loader had not been discovered. But surely it would be wiser to make rifles of the best pattern known than to go on making more of a rejected pattern. If it was a question of increased cost, he could understand the course taken by the Government, but no outlay would be required for new machinery. Last year the Secretary of State said that it was perfectly competent for Mr. Lancaster, whose patent had expired, to apply for a renewal, to which no opposition would be offered by the Secretary for War, and it was only the other day that it was represented that whenever the Government made use of any patent they would make a fair bargain with the patentee; but in spite of these assurances the Attorney General was instructed to resist the renewal of the patent, and the Government put the patentee to an expenditure of £700 or £800 in costs, for the sake of saving 1*s*. royalty per barrel. This was not the way to encourage inventions for the public good. If the Reports of Committees, costing the country £7,000 or £8,000 a year, were to be treated as mere waste paper it would be better to strike the Votes for those Committees out of the Estimates. For the sake of saving 1*s*. per barrel royalty it was hardly worth while to break faith with Mr. Lancaster or with statements made in that House. Being Chairman of the National Rifle Association, his attention had been called to the various descriptions of small arms, and at competitions at Wimbledon, as the mass of Volunteers were armed with the Government rifle, the Council were obliged to exclude the use of the Lancaster and fine groove rifles from competition with the Enfield rifle, on account of their superiority to it as arms of precision. The experience of that Association in its competitions at Wimbledon was thus found to corroborate the decision of the Select Committee, condemning the one arm and recommending the manufacture of the other. His only desire was to see the public money spent on a good arm instead of on a bad one.

MR. NEWDEGATE said, that seeing there was a change in the statement of the account of manufacturing there, he wished to know the total of the number of guns produced at the Enfield factory last year, and also whether the Government contemplated to increase the weight or the strength of the barrel of the Enfield rifle.

THE MARQUESS OF HARTINGTON said, the hon. Member for Finsbury appeared to base his calculations on the number of guns required being 1,944. If he would refer to the Report of the Commission he would find that 900 of the heaviest guns was the total number recommended by the Commissioners. From that number would be supplied the guns intended for Portsmouth and its defences. Therefore, a very considerable quantity of guns for the land defences was comprised in that number. He could not state exactly how many guns would be mounted on the Spithead forts, but certainly in comparison with the whole 900 the number would be very small. Those forts would doubtless have to be armed with the very heaviest arm we could make, and some of them would require 20 or 22-ton guns. The hon. Member based his calculations entirely on what he said the Russian Government had done in that matter, but it did not necessarily follow that we should have to pay as large a sum as Russia for guns. Still, it was quite possible that our guns might be more expensive than he anticipated, and undoubtedly it would be so if it was found necessary to adopt the Whitworth or any other more costly arm than they were now manufacturing. But, as he had previously stated, he believed we had now got a very good gun, and certainly in comparison with others it was not a dear gun. The 12-ton gun was capable of piercing an iron-clad vessel, and he did not know why we should in ordinary cases have a larger gun than one that was found sufficient for the purpose. He believed that about 1,200 naval guns would be required at an average of not more than 12 tons. The 7-ton was also capable of piercing an iron-clad. With regard to what had fallen from the hon. Member for Stockport (Mr. Watkin), he thought that for land defences, our stock of cast-iron guns would, in many positions, be perfectly sufficient. We had a considerable number of 110, 40, and 70-pounders, which were very good for many purposes, and it was not at all probable that it would be requisite to manufacture a large number of guns for land defences. Probably, Captain Palliser would be able to furnish at a cheap rate a gun of sufficient power for all land defence. As to ammunition, he had not stated that it was intended to supply only 100 rounds for the guns, but that it would probably not be necessary to supply more than 100 rounds of steel shot for each. They did not give any statement this year respecting the sums to be expended on labour and materials at Enfield, because they had not been able to base their calculations upon a certain number of arms which they proposed to manufacture. With respect to Enfield rifles, they really did not yet know what it was they were likely to manufacture during that year. The Report of the Committee on the Enfield and breech-loader had only just been received, and it was not yet decided whether the whole or the greater part of the force at the Enfield factory should be employed in the conversion of the Enfield or the manufacture of some other arm. It had, therefore, been thought best to ask the House for a round sum for the manufacture of whatever might be undertaken. £10,000 more was asked than the sum asked last year, because there would probably be a conversion of arms on a large scale, or perhaps they would have to manufacture a new breech-loading arm, which would, no doubt, be more expensive than a muzzle-loading one. The noble Lord (Lord Elcho) asked why they had not adopted the Lancaster system of rifling for the Enfield arm, and what they intended to do this year. The fact was that since the debate of last year, and since the decision had been come to to adopt as soon as possible a breech-loading arm for the army, a very small quantity of rifles had been manufactured at Enfield, and their manufacture would be discontinued altogether at the earliest period. When it was clear that a breech-loader of some description was desirable, it became advisable to refrain from the manufacture of muzzle-loading arms. They had, therefore, confined themselves principally to manufacturing the breech-loading carbine for the cavalry, the pattern of which had been approved, and also a certain number of smooth-bore guns for the Indian Government. They proposed this year to go on manufacturing breech-loading carbines for the cavalry, and if that did not give sufficient employment to their hands till the conversion of the muzzle-loaders commenced, they would continue to manufacture other arms which it was not necessary should be of a breech-loading character. With regard to the Lancaster breech-loader, he regretted that the noble Lord had not given him notice of his intention to bring forward that subject, because he did not recollect the circumstances under which the Government opposed the renewal of Mr. Lancaster's patent. He was under the impression that it would not be necessary to oppose the renewal of his patent, and was surprised to learn that it had been opposed. He would, however, be happy to explain those circumstances to the noble Lord if he would give a notice relating to that question for a future day. He hoped that the noble Lord and the House would not object to vote this sum of money on the faith that the Government would as soon as possible proceed with the conversion of the muzzle-loading into the breech-loading weapons. The factories at Devonport and Portsmouth were not intended for the manufacture of new stores, which was confined to Woolwich, but for the repairs of stores. It had been represented that these repairs were conducted at a greater cost than if they took place at Woolwich, and an inquiry was going on to see whether one system was more economical and efficient than the other.

Lord ELCHO said, he wished that the noble Lord would tell the House the number of Enfield rifles made during the last year, and the rate at which they were now being made. Last year the noble Lord said 1,000 a week were being made there, of which 700 were the three-grooved long Enfield pattern. He was afraid this condemned article was being manufactured at the rate of 700 a week. Since the Report of the Committee in 1862 not fewer than 100,000 had been made sufficient to arm all the troops in the service; and if the Government succeeded in converting it into a breech-loader, they would be converting an inferior arm instead of that recommended by their own Committee.

The Marquess of HARTINGTON said, that the noble Lord talked of the Enfield rifle being a "condemned arm," but, although the Lancaster rifle might be superior, the Committee of 1862 reported that the Enfield rifle was still a better arm than that supplied to any troops in the world. At many ranges of firing the difference between the Enfield and other rifles was scarcely perceptible. He could not give the noble Lord the exact numbers, but he believed that the number of Enfields made during the past year did not exceed 20,000, and that no rifle of that pattern was being manufactured at present. The factory were engaged in making either Mr. Westley Richard's breech-loading carbine or the artillery carbine.

Lord ELCHO said, that when he used the term "condemned arm," he used it as compared with other arms in their own service. He admitted that our troops were better armed than any other troops in the world, but the Committee upon four points, including precision when clean, precision when foul, and simplicity of management, reported in favour of the weapon which the Government would not make. What he complained of was that the Government persistently manufactured the least good of the three arms adopted in the service.

Mr. NEWDEGATE said, that it appeared to him that the Enfield factory was getting into this position—that they were keeping up a large staff whilst the Committee were deliberating upon the kind of arm that should be adopted. He did not wish to hurry any immature conclusion upon the matter; but it appeared to him that the Committee had lost time. Would the noble Lord lay on the table a Return of the number of arms of all kinds made at the Enfield factory during the past year? He would add that he did not think the Enfield rifle deserved to be called a "condemned arm." It had a fault—a want of sufficient strength of metal in the barrel. But he believed the Enfield rifle to be the best arm in general use in any army in the world. He would ask whether that had been considered, because whatever arm they were about to adopt that fault should be avoided—and he trusted that this defect would be amended in the new breech-loader.

Mr. KINNAIRD said, he wished to ask when the promised Report of the Rifle Brigade experiments with the Whitworth rifle would be laid before the House. The House ought also to have the papers connected with the renewal of the patent for the Lancaster rifle, in order to see if the patentee had been fairly dealt with.

Mr. LIDDELL said, he wished to know whether tenders had been received for the conversion of the Enfield into a breech-loader, what system of conversion had been decided upon, and the names of the firm whose tender had been accepted?

Mr. HENRY SEYMOUR said, he had not understood the remarks of his noble Friend (Lord Elcho) to be condemnatory of the Enfield rifle. His noble Friend had only stated that the rifle in use was the least perfect of the three patterns in the service, and that the Government had, notwithstanding, persisted in making 100,000 of them.

Colonel DUNNE said, there was all the difference in the world between a small arm that was the best weapon of war and an instrument for merely throwing projectiles accurately. He feared that the Lancaster rifle might not wear, and that it would not do for long and heavy work. A strong and coarse weapon was wanted for the soldier in active service.

The Marquess of HARTINGTON said, that the number manufactured of the Enfield rifle would best be seen when the Enfield balance-sheet was laid on the table, and could not be shown accurately before. As to the strength of the barrel of the Enfield, the Committee had been engaged in experiments and investigations as to the qualities most to be desired in a military weapon, and no doubt additional strength of barrel was considered very important.

The question was, could that additional strength be had, preserving the length of the arm, except by adopting some smaller bore? He could not give an answer at present to his hon. Friend (Mr. Kinnaird) whether the correspondence relative to the Lancaster patent would be produced. With reference to the question of the hon. Member for Poole (Mr. Seymour), he thought every step in this matter had been taken with as much rapidity as possible. The Report of the Committee recommending the adopting of a breech-loader was received in July last. There were several proposals to alter the Enfield rifle. It was necessary to consult the trade on the subject, and there was a competition for the best plan of conversion. The manufacturers required some time to submit their plans. Then they required some time to alter the rifles that were given to them, and after that it was necessary that experiments should be made to test them. No greater expedition could be used in this matter consistent with obtaining satisfactory results.

Mr. SURTEES said, I wish to ask the noble Lord the Under Secretary for War whether the report is true that a considerable number of carbines, of the Westley Richard's pattern are about to be issued to the cavalry, and, if so, whether they will require capping; because, if such should be the case, I consider it will be a very great defect.

The Marquess of HARTINGTON said, that in the Westley Richards and carbines the percussion arrangement was separate from the ammunition.

Mr. HENRY SEYMOUR observed, that any breech-loader would be defective that required capping.

Original Question put, and *agreed to.*

(13.) £485,000, Warlike Stores also *agreed to.*

Motion made and Question proposed, that the Chairman do now report progress put, and *agreed to.*

Mr. AYRTON said, he wished to express a hope that when the next Vote was taken detailed explanations would be given by the noble Lord as to the fortifications proposed to be constructed in Canada, and the number of men required for them. At present they knew nothing about these fortifications, or where they were proposed to be constructed. The Report they had before them was of a useless character. When we made our own coast preparations there was information, but here there was none. They should have some sketch of what the Government intended to do; and he hoped the noble Lord would be prepared, when the House again went into Committee, to give full information.

Lord ELCHO said, he had been about to make a similar request. Great interest was felt in the question, and he hoped the noble Viscount at the head of the Government would see that this, perhaps the most important qustion that would be brought before them this Session, was discussed at an early hour, when there was full attendance of Members, and not during the dinner hour.

Sir MORTON PETO suggested that a special day should be fixed for the discussion. The question was one affecting the public mind very much.

Viscount PALMERSTON: We propose to go on with the Army Estimates on Thursday next, and this Vote will be the first taken. The hour at which the discussion will come on is not altogether within the control of the Government. It depends a good deal on those hon. Members who have preliminary Motions. I hope, however, that a general understanding may be come to, and that the House will at an early hour go into Committee.

Mr. SEYMOUR FITZGERALD said, he wished to know whether Colonel Jervois's Report would be produced. At present they had only his covering letter enclosing his Report. He presumed that the production of the plans proposed for the fortifications would be inexpedient.

The Marquess of HARTINGTON said, the Government had been already found fault with for giving so much information, although he did not think any harm had been done; for there was really nothing in the printed Report of Colonel Jervois that the Americans were not already fully acquainted with. But the Report now alluded to was certainly of a perfectly confidential nature, and it would be very unwise to produce it. It was not intended to lay upon the table any other Report than that already produced, which contained the substance of the recommendations on which the Government intended to act.

Mr. SEYMOUR FITZGERALD said, he thought it would have been much better for the Government to lay on the table a short statement of those fortifications which they considered necessary, instead of entering into all the reasons why they considered them to be necessary—details which had excited a good deal of distrust here, and probably a good deal of discouragement at the other side of the water.

House *resumed.*

Resolutions to be reported *To-morrow;*

Committee to sit again on *Wednesday.*

METROPOLITAN HOUSELESS POOR.

BILL ORDERED. FIRST READING. [BILL 83.]

MR. C. P. VILLIERS, in moving for leave to introduce a Bill to continue the Metropolitan Homeless Poor Act, said, as this Act passed as an experiment last Session, had answered its purpose admirably, and had proved most acceptable to all the districts in London where it had been tried. He therefore proposed to extend its operations for another year.

Motion *agreed to.*

Bill to continue the Metropolitan Houseless Poor Act, *ordered* to be brought in by Mr. VILLIERS and Viscount ENFIELD.

Bill *presented,* and read 1°. [Bill 83.]

LAHORE BISHOPRIC.

Resolution *considered* in Committee.

(In the Committee.)

Resolved, That it is expedient to empower the Secretary of State for India in Council to make provision for the payment, out of the Revenues of India, of the Salaries of the Bishop and Archdeacon, and of other charges incidental to the establishment of a Bishopric of Lahore.

Resolution to be reported *To-morrow.*

DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) PROVISIONAL ORDERS CONFIRMATION BILL.

On Motion of Mr. PEEL, Bill to confirm certain Provisional Order under "The Drainage and Improvement of Lands (Ireland) Act, 1863," *ordered* to be brought in by Mr. PEEL and Sir GEORGE GREY.

Bill *presented,* and read 1°. [Bill 82.]

House adjourned at a quarter
after Twelve o'clock.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CLXXVII

FIRST VOLUME OF THE SESSION 1865.

Explanation of the Abbreviations.

In Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

☞ When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

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c. Resolution in Committee *Feb* 10
Bill ordered; read 1° * *Feb* 13 [Bill 14]
Read 2° after debate *Feb* 20, 452
Committee *; Report *Feb* 23
Read 3° * *Feb* 27

Bankruptcy Act
After debate, Select Committee appointed and nominated "to inquire into the working of the New Bankruptcy Act, and to report thereon" (*Mr. Moffatt*) *Feb* 9, 120
Committee:—Mr. Attorney General, Mr. Moffatt, Mr. Murray, Mr. Malins, Mr. Weguelin, Mr. Gathorne Hardy, Mr. Kirkman Hodgson, Mr. Crum-Ewing, The Lord Advocate, Mr. Lowe, Mr. Vance, Mr. Cave, Mr. Goschen, Mr. Roebuck, Mr. Taverner John Miller, and Mr. Ayrton
And on Feb 24, Mr. Kirkman Hodgson discharged and Mr. Dunlop added

Bankruptcy, Court of
Observations, The Lord Chancellor *Feb* 9, 93

Bankruptcy and Insolvency (Ireland) Act Amendment Bill
(*Mr. Milner Gibson, Sir Colman O'Loghlen*)
c. Read 1° * *Feb* 21 [Bill 34]
Read 2° * *Feb* 23
Committee *; Report *Feb* 24
Read 3° * *Feb* 27
l. Read 1ª * (*The Lord Steward*) *Mar* 2 (No. 20)
Read 2ª after short debate *Mar* 7, 1221
Referred to Select Committee, after short debate, 1645
And on March 16, Committee nominated as follows:—Ld. Chancellor, Ld. Steward, E. Belmore, V. Hutchinson, L. Boyle, L. Silchester, L. Somerhill, L. Chaworth, L. Cranworth, L. Belper, L. Chelmsford

Baring, Mr. H. B., *Marlborough*
British Passports to Rome, 450

Baring, Mr. T., *Huntingdon*
Bank Notes Issue, 2R. 631

Baring, Mr. T. G. (Under Secretary for the Home Department), *Penryn & Falmouth*
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New Cross Roads, 2R. 497
Registration of County Voters, 1475
Theatres, &c. Leave, 1529

Barrow, Mr. W. H., *Nottinghamshire, S.*
Prisons, 2R. 1362

Barttelot, Colonel W. B., *Sussex, W.*
Malt, Res. 1275

Bass, Mr. M. T., *Derby*
Army Estimates—Disembodied Militia, 1979

Bath, Marquess of
Edmunds, Leonard — Resignation of, Comm. moved for, 1217, 1219
Roach River Fishery, 2R. 735

Baxter, Mr. W. E., *Montrose, &c.*
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Bazley, Mr. T., *Manchester*
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Trade with Foreign Nations, Select Committee on, 1900

Belfast Commission of Inquiry
Question, Mr. O'Reilly; Answer, Sir Robert Peel *Feb* 9, 119

Belmore, Earl of
Irish Railways, Liabilities of Shareholders in, 95

Bentinck, Mr. G. Cavendish, *Taunton*
Union of Benefices Act Amendment, Leave, 1461

Bentinck, Mr. G. W. P., *Norfolk, W.*
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France—Commercial Treaty with, 1757
Guns for Coast Defences, 1941
Ireland—State of, Res. 699
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Black, Mr. A., *Edinburgh*
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Hyde Park—Gardens in, 1830

Blake, Mr. J. A., *Waterford City*
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India—Nawab of the Carnatic—Azeem Jah—Forged Signatures, Report, 1738
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Borough Franchise Extension Bill
(*Mr. Baines, Mr. Bazley, Mr. Scholefield, Mr. W. E. Forster*)
c. Motion for Leave (*Mr. Baines*), 559
Ordered, after short debate; read 1° *Feb* 21 [Bill 32]

Borough Franchise Extension Bill
Question, Mr. Collins; Answer, Mr. Baines *Mar* 2, 957

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Brady, Mr. J., *Leitrim Co.*
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Brazil, Diplomatic Relations with
Question, Mr. White; Answer, Viscount Palmerston *Mar* 9, 1369

Brazil and Uruguay
Question, Mr. Maguire; Answer, Mr. Layard *Feb* 10, 138; Question, Mr. Maguire; Answer, Mr. Layard *Feb* 24, 658; Question, The Marquess of Clanricarde; Answer, Earl Russell *Mar* 9, 1367; Question, Mr. Maguire; Answer, Viscount Palmerston *Mar* 9, 1371

BRIGHT, Mr. J., *Birmingham*
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(*Mr. Secretary Cardwell, Mr. C. Fortescue*)
c. Bill ordered, 312; read 1° * *Feb* 16 [Bill 27]
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Committee *; Report *Mar* 1 [Bill 45]
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l. Read 1ª * (*The Lord Privy Seal*) *Mar* 9
Read 2ª after debate *Mar* 13, 1531 (No. 27)
Committee *; Report *Mar* 14
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British Museum
Petition of Trustees of the British Museum (*Earl Stanhope*) *Mar* 22, 956:—withdrawal of Notice of Motion (*Earl Stanhope*) *Mar* 13, 1530:—Observations, Mr. Walpole; Reply, The Chancellor of the Exchequer *Mar* 13, 1534

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Canada—Dismissal of Judge Coursol, Question, Mr. Peacocke; Answer, Mr. Cardwell *Feb* 10, 137
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British and North American Steamship Company
Question, Mr. Baxter; Answer, Mr. Peel *Mar* 9, 1368

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BRUCE, Right Hon. H. A. (Vice President of the Committee of Council for Education), *Merthyr Tydvil*
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BRUCE, Sir H. H., *Coleraine*
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BULLER, Sir A. W., *Devonport*
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CAMBRIDGE, Duke of (Field Marshal Commanding-in-Chief)
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Canada—see *British North America*

Capital Punishments within Gaols Bill
(*Mr. Hibbert, Mr. Bonham-Carter, Visct. Enfield*)
c. Bill ordered; read 1° * *Feb* 20 [Bill 30]

CARDWELL, Right Hon. E. (Secretary of State for the Colonies), *Oxford City*
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- Canada—Dismissal of Judge Coursol, 137;—Defences of—Colonel Jervois' Report, 1165, 1595, 1596
- China—Taxation at Hong Kong, 1119
- Colonial Governors' Retiring Allowances, 119
- Colonial Naval Defence, Leave, 1027, 1030; Comm. 1824
- Mauritius—Military Defence, 1746
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- Army—Recruiting, Commission moved for, 523

Cave, Mr. S., *New Shoreham*
- Africa — Western Coast, Comm. moved for, 545
- Banks of Issue, Res. 154, 155
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- The Lord Redesdale appointed, *Nemine Dissentiente*, to take the Chair in all Committees of the House of Lords for this Session *Feb* 7

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- Abolition of Arrest on Final Process, 1R. 1365, 1367
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- Timber Duties, 1480

Charitable Trusts Fees Bill
(*Mr. Hankey, Mr. Shaw Lefevre*)
c. Bill ordered; read 1° * *Mar* 10 [Bill 65]

Charlemont, Earl of
- Address in Answer to the Speech, 7

Cheetham, Mr. J., *Salford*
- Lancashire and Yorkshire and Great Eastern Junction Railway, 2R. 1654
- Trade with Foreign Nations, Select Committee on, 1899

Chelmsford, Lord
- Abolition of Arrest on Final Process, 1R. 1366
- Address in Answer to the Speech, 33
- Attorneys and Solicitors, 2R. 1471
- Bankruptcy and Insolvency (Ireland), 2R. 1222
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- Illicit Distillation in Clare and Donegal, Return moved for, 281
- Patent Rights, 736

Chelsea Bridge Toll Abolition
(*Sir J. Shelley, Mr. Locke King, Mr. Locke*)
c. Bill ordered * *Mar* 15
Read 1° * *Mar* 16 [Bill 74]

Cheltenham and Gloucestershire Water Bill (*by Order*)
- Moved, "That the Bill be now read 2°" *Feb* 21, 490
- Amendt. to leave out "now," and add "upon this day six months" (*Lord R. Montagu*) *Feb* 21, 491
- After debate, Question put, "That 'now,' &c.," A. 88, N. 118; M. 30
- Bill put off for six months *Feb* 21

Chemists and Druggists Bill
(*Sir F. Kelly, Mr. Kinglake, Sir S. Northcote*)
c. Resolution in Committee, 1910
Bill ordered ; read 1° * *Mar* 17 [Bill 78]

Chemists and Druggists (No. 2) Bill
(*Sir J. Shelley, Mr. C. Forster, Mr. Ayrton*)
c. Resolution in Committee *Mar* 21, 46
Bill ordered ; read 1° [Bill 84]

CHILDERS, Mr. H. C. E. (Lord of the Admiralty), *Pontefract*
Lancashire and Yorkshire and Great Eastern Railway, 2R. 1656
Navy—Chaplain General, 1017 ;— Dockyard Accounts, 1018 ;— Wages in Dockyards, 1143 ;—Naval Chaplains, 1537 ;—Greenwich Hospital, 1923
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China
British Subjects in the Chinese Service, Question, Colonel Sykes ; Answer, Mr. Layard *Feb* 16, 287
British Subjects in China, Observations, Colonel Sykes ; Reply, The Attorney General *Mar* 20, 1945
Taxation at Hong Kong, Question, Mr. Waldegrave-Leslie ; Answer, Mr. Cardwell *Mar* 6, 1119

Church Attendance on Sunday Bill
(*Mr. Clifford, Mr. A. Russell, Mr. S. Lefevre*)
c. Resolution in Committee *Mar* 1, 946
Bill ordered ; read 1° * *Mar* 1 [Bill 46]

Church Rates Commutation Bill
(*Mr. Newdegate, Lord Robert Montagu*)
c. Bill ordered ; read 1° * *Feb* 21 [Bill 35]

CHURCHILL, Lord A. S., *Woodstock*
Africa—Western Coast, Comm. moved for, 547
New Zealand—War in, 1503

Civil Bill Courts Procedure (Ireland) Act (1864) Amendment Bill
(*Sir R. Peel, Sir Colman O'Loghlen*)
c. Bill ordered ; read 1° * *Feb* 17 [Bill 29]
Read 2° * *Feb* 20
Committee * ; Report *Feb* 21
Considered * *Feb* 22
Read 3° * *Feb* 23
l. Read 1ª * (*The Lord Steward*) *Feb* 24 (No. 16)
Read 2ª * ; Committee negatived *Feb* 28
Read 3ª * *Mar* 2
Royal Assent *Mar* 3 [28 *Vict.* c. 1]

Civil Service Estimates
Question, Mr. Augustus Smith ; Answer, Mr. Peel *Mar* 17, 1906

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Army—Barracks (Ireland), 1461, 1462
Bankruptcy and Insolvency (Ireland) Act Amendment, Comm. 1645
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Clare's Patents
Question, Mr. Maguire ; Answer, Lord Clarence Paget *Feb* 20, 449

CLAY, Mr. J., *Kingston-upon-Hull*
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Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod, Office of
On Feb 10, Committee appointed as follows : —Ld. Chancellor, Ld. President, D. Richmond, M. Lansdowne, M. Salisbury, M. Bath, E. Devon, E. Carnarvon, E. Malmesbury, E. Chichester, Ld. Chamberlain, V. Eversley, L. Willoughby de Eresby, L. Colville of Culross, L. Ponsonby, L. Foley, L. Redesdale, L. Colchester, L. Wynford, L. Cranworth, L. Chelmsford
Report of Select Committee *Feb* 17

CLIFFORD, Mr. C. C., *Isle of Wight*
Church Attendance on Sunday, Leave, 946
Cowes Trinity Pilots, 600

COCHRANE, Mr. A. D. Baillie, *Honiton*
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Public Offices (Site and Approaches), Leave, 1302

COGAN, Mr. W. H. F., *Kildare Co.*
Army Estimates—Pay and Allowances, 1972

COLCHESTER, Lord
Edmunds, Leonard—Resignation of, Comm. moved for, 1221

COLEBROOKE, Sir T. E., *Lanarkshire*
Bank Notes Issue, 2R. 621

COLLIER, Sir R. P., *see* SOLICITOR GENERAL The

COLLINS, Mr. T., *Knaresborough*
Borough Franchise Extension, 957
County Voters Registration, Leave, 1364
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Colonial Governors' Retiring Allowances
Question, Mr. Baillie Cochrane ; Answer, Mr. Cardwell *Feb* 9, 119

Colonial Naval Defence Bill
(*Mr. Secretary Cardwell, Lord Clarence Paget, Mr. C. Fortescue*)
c. Bill ordered* *Mar* 2; read 1°* *Mar* 6 [Bill 51]
Read 2° * *Mar* 13
Committee ; Report after short debate *Mar* 16
Read 3° * *Mar* 17
l. Read 1ª * (*Duke of Somerset*) *Mar* 20 (No. 39)

Commercial Treaty with France
Question, Mr. Treherne; Answer, Mr. Milner Gibson *Mar* 16, 1748

Committee of Selection
On Feb 10, Committee nominated as follows:—Mr. Dunlop, Mr. Gregory, Mr. Bonham-Carter, Lord Hotham, Mr. Mowbray, and the Chairman of the Select Committee on Standing Orders

Common Law Courts (Fees) Bill
(*Mr. Attorney General, Mr. Solicitor General*)
c. Resolution * *Feb* 21
Bill ordered * *Feb* 22
Read 1° * *Feb* 23 (No. 39)
Read 2° * *Feb* 27
Committee *; Report *Mar* 1
Considered * *Mar* 3
Read 3° * *Mar* 6
l. Read 1ª* (*The Lord Chancellor*) *Mar* 7 (No. 25)

Commons and Open Spaces (Metropolis)
After debate, on Motion of *Mr. Doulton*, Select Committee appointed "to inquire into the best means of preserving for the public use the Forests, Commons, and Open Spaces in and around the Metropolis" *Feb* 21, 502
On March 3, Committee nominated as follows:—Mr. Doulton, Mr. Cowper, Viscount Bury, Sir Henry Willoughby, Mr. Locke King, Mr. Du Cane, Mr. Henry Baillie, Sir John Shelley, Mr. John Tollemache, Mr. Kinnaird, Mr. Bentinck, Mr. Peacocke, Mr. Hanbury, Mr. Vance, Mr. Locke, Mr. Lyall, Mr. Buxton, Mr. Torrens, Mr. Shaw Lefevre, Mr. Alderman Rose, and Mr. Cox

Confederate States
British Property in the, Question, Mr. Gregory; Answer, Mr. Layard *Mar* 20, 1922
Case of Captain Beale, Question, Mr. Peacocke; Answer, Mr. Layard *Mar* 13, 1536

Consolidated Fund (£175,650) Bill
c. Resolution in Committee of Ways and Means *Mar* 13
Bill ordered; read 1° * *Mar* 14
Read 2° * *Mar* 16
Committee *; Report *Mar* 17
Read 3° * *Mar* 20

Controverted Elections
General Committee of Elections (*By Mr. Speaker's Warrant*) *Feb* 9, 127
Rt. Hon. Sir Francis Thornhill Baring, Rt. Hon. Spencer Horatio Walpole, Rt. Hon. Lord Athlumney, Sir William Miles, Mr. George Ward Hunt, Mr. John Bonham-Carter.

Controverted Elections
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Mr. William Edward Baxter, Mr. James Wentworth Buller, Mr. Edward C. Egerton, Mr. Thomas William Evans, Mr. James Milnes Gaskell, Mr. Robert Longfield.

Conventual Establishments
Question, Mr. Hennessy; Explanation, Mr. Newdegate *Mar* 13, 1637

County Courts Equitable Jurisdiction Bill (*The Lord Chancellor*)
l. Presented; read 1ª *Feb* 21, 486 (No. 9)
Read 2ª after debate *Mar* 3, 1030; and referred to a Select Committee
On March 6, Committee nominated as follows: Ld. Chancellor, Ld. Steward, E. Devon, E. Romney, V. Eversley, L. Cranworth, L. Saint Leonards, L. Wensleydale, L. Belper, L. Chelmsford, L. Kingsdown, L. Lyveden

County Voters Registration Bill
(*Mr. Hunt, Mr. Walter, Mr. Howes*)
c. Bill ordered; read 1° *Mar* 8, 1363 [Bill 59]

County Voters, Registration of
Question, Mr. Western; Answer, Mr. T. G. Baring *Mar* 10, 1475

County Voters Registration (Ireland) Bill (*Sir R. Peel, Sir C. O'Loghlen*)
c. Bill ordered; read 1° * *Mar* 13 [Bill 70]

Coursol, Dismissal of Judge
Question, Mr. Peacocke; Answer, Mr. Cardwell *Feb* 10, 137

Court of Chancery (Ireland) Bill
(*Mr. Attorney General, Sir Robert Peel, Sir Colman O'Loghlen*)
c. Bill ordered; read 1° * *Feb* 10 [Bill 6]
Read 2° * *Mar* 3

Court of Chancery (Ireland) (No. 2) Bill
(*Mr. Whiteside, Mr. George*)
c. Bill ordered; after debate read 1° *Feb* 16, 307
Read 2° *Mar* 2, 1027 [Bill 25]

Court of Chancery (Ireland) (No. 3) Bill
(*Mr. Whiteside, Mr. George*)
c. Bill ordered * *Feb* 20; read 1° * *Feb* 22 [Bill 38]
Read 2° *Mar* 2, 1027

Courts of Justice Building Bill
(*Mr. Attorney General, Mr. Cowper, Mr. Solicitor General*)
c. Bill ordered, after long debate; read 1° *Feb* 10, 157
Read 2° after debate *Feb* 16, 290 [Bill 5]
Committee moved, "That Mr. Speaker do now leave the Chair," 601
Amendt. to leave out from "That" and add "this House will, upon this day month, resolve itself into the said Committee" (*Sir Henry Willoughby*)
After short debate; Main Question put, and agreed to; Bill considered in Committee; and Reported *Feb* 23
Considered* *Feb* 27
Read 3° and passed *Mar* 2, 1026
l. Read 1ª * (*The Lord Chancellor*) *Mar* 3 (No. 23)

Courts of Justice Building (Deficiencies, &c.)
c. Resolution in Committee * *Feb* 21

Courts of Justice Concentration (Site) Bill
(*Mr. Cowper, Mr. Attorney General, Mr. Solicitor General*)
c. Bill ordered, after short debate; read 1° *Feb* 10, 198 [Bill 11]
Read 2° *Feb* 23, and committed to a Select Committee, 607
On February 24, Committee nominated as follows:—Mr. Cowper, Mr. Selwyn, Mr. Crawford, Mr. Murray
Moved, "That it be an Instruction to the Select Committee on the Courts of Justice Concentration (Site) Bill, that they have power to make provision for appropriating or obtaining sites, and for the erection of lodging-houses or other suitable dwellings for the working classes proposed to be displaced by the said Bill" (*Mr. Kinnaird*)
Amendt. to leave out "make," and insert "inquire into the practicability and expediency of making" (*Mr. Hennessy*); Question, "That the word 'make' &c.;" A. 18, N. 8; M. 10; *Feb* 28, 926
Report* *Mar* 14 (Nos. 71 & 124)

Courts of Justice Site
Question, Mr. Walter; Answer, Mr. Cowper *Feb* 13, 208

Courts of Justice Site Bill—Returns
Observations, The Earl of Longford *Feb* 20, 415

Courts of Justice, The New
Moved, That there be laid before the House, "Copies of the Plan or Plans which have been suggested for the Site and Buildings of the proposed Courts of Justice; And also, Return of the Number of Houses and of the Names of the Streets, Lanes, and Places, and Courts comprised in the Site to be purchased for the purposes of the same" (*Earl Stanhope*), 1910; after debate, Motion withdrawn *Mar* 20

COWPER, Right Hon. W. F. (Chief Commissioner of Works), *Hertford*
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Courts of Justice Concentration (Site), Leave, 196, 208; 2R. 607; Instruction to Comm. 929
Hyde Park—Gardens in, 1830
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Metropolitan Sewage and Essex Reclamation, 2R. 844
New Palace Yard, Extension of, 498
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Cox, Mr. W.—*cont.*
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Attorneys and Solicitors, 2R. 1473
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County Courts Equitable Jurisdiction, 2R. 1035
Felony and Misdemeanor Evidence and Practice, 2R. 1726, 1727
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CRAUFURD, Mr. E. H. J., *Ayr, &c.*
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CRAWFORD, Mr. R. W., *London*
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Private Bill Costs, 2R. 565
St. Benet, Gracechurch Street, and Allhallows, Lombard Street, 321
Union of Benefices Act Amendment, Leave, 1460

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(*Mr. Scully, Mr. M'Mahon*)
c. Bill ordered; read 1° * *Feb* 10 [Bill 8]
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- Canada—Defences of—Colonel Jervois' Report, 423, 425, 429, 438
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- Edmunds, Leonard — Resignation of, Comm. moved for, 1210, 1212, 1215, 1219, 1220

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- India—Nawab of the Carnatic—Azeem Jah, Comm. moved for, 1692

Dickson, Col. J. A., *Limerick Co.*
- Army Estimates—Land Forces, 1796;—Pay and Allowances, 1973;—Clothing Establishments, 1974;—Disembodied Militia, 1976, 1978
- Game (Ireland), 2R. Amendt. 1528
- India—Nawab of the Carnatic — Azeem Jah, Comm. moved for, 1714
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- Question, Mr. Waldegrave-Leslie; Answer, Mr. T. G. Baring *Mar* 6, 1117

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- Army Estimates—Land Forces, 1793;—Manufacturing Departments, 1990
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- Irvin, Mr. D'Arcy, Papers moved for, 231

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- Convictions under Refreshment Houses Act, 450, 749

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Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation Bill (*Mr. Peel, Sir George Grey*)
- *c.* Bill ordered; read 1° * *Mar* 20 [Bill 82]

Dublin International Exhibition (1865) Bill (*Sir R. Peel, Mr. M. Gibson*)
- *c.* Bill ordered; read 1° * *Feb* 13 [Bill 17]
- Read 2° * *Feb* 17
- Committee *; Report *Feb* 20
- Read 3° * *Feb* 21
- *l.* Read 1ª * (*The Lord Steward*) *Feb* 23 (No. 13)

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- Malt, Res. 1257

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- Ireland—State of, Res. 757

Dunlop, Mr A. M., *Greenock*
- India—Nawab of the Carnatic—Azeem Jah, Comm. moved for, 1704
- Ireland—State of, Res. 789
- Law of Evidence, 2R. 942
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- Army Estimates — Land Forces, 1798;—Pay and Allowances, Adj. moved, 1822, 1960, 1967, 1969; — Disembodied Militia, 1978, 1980;—Volunteers, 1983;—Enrolled Pensioners, 1984;—Manufacturing Departments, 1998
- Ireland—Publication of Irish Records, 288;—State of, Res. 690
- Union Officers (Ireland) Superannuation, 2R. 1908

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- Question, Mr. Augustus Smith; Answer, Mr. Tite *Mar* 10, 1525

East India (Governor General's Powers, &c.,) Bill (*Sir C. Wood, Mr. Baring*)
- *c.* Bill ordered; read 1° * *Mar* 17 [Bill 76]

East India High Courts Bill (*Sir Charles Wood, Mr. Baring*)
- *c.* Bill ordered; read 1° * *Mar* 17 Bill 77]

Edmunds, Leonard, Esq.—Resignation of Certain Offices
- On Motion of *The Lord Chancellor*, after debate, Select Committee appointed "to inquire into all the Circumstances connected with the Resignation by Mr. Edmunds of the Offices of Clerk of the Patents and Clerk to the Commissioners of Patents, and with his Resignation of the Office of Read- [*cont.*

Edmund Leonards, Esq.—cont.
ing Clerk and Clerk of Outdoor Committees in this House; and also into all the Circumstances connected with the Grant of a Retiring Pension to him by this House" *Mar* 7, 1221
On March 9, Committee nominated as follows:—Ld. President, D. Somerset, E. Derby, E. Graham, E. Clarendon, E. Malmesbury, V. Hutchinson, L. Panmure, L. Stanley of Alderley, L. Chelmsford, L. Taunton
Letters and Documents respecting referred to the Select Committee *Mar* 10
Ordered, That the Witnesses before the said Committee be examined on Oath; and that the Evidence taken from Time to Time before the said Committee be printed for the Use of the Members of this House, but no Copies thereof to be delivered, except to the Members of the Committee, until further Order *Mar* 14 (No. 30)
Edmunds, Mr., Question, Mr. Hodgkinson; Answer, Sir George Grey *Mar* 20, 1921
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l. Revised Code of Regulations, presented, Earl Granville *Feb* 17, 316
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l. Revised Code of Regulations—Children under Six Years, Observations, The Earl of Harrowby; Reply, Earl Granville *Mar* 16, 1732
Committee of Council on Education, Moved, "That a Select Committee be apppointed, to inquire into the Constitution of the Committee of Council on Education, and the system under which the business of the office is conducted" (*Sir John Pakington*) *Feb* 28, 847—
Amendt. to add, "And also into the best mode of extending the benefits of Government Inspection and the Parliamentary Grant to Schools at present unassisted by the State" (*Mr. Walter*); after long debate, Question, "That those words be there addded" agreed to; Main Question, as amended, agreed to—
Select Committee appointed "to inquire into the constitution of the Committee of Council on Education, and the system under which the business of the office is conducted, and also into the best mode of extending the benefits of Government Inspection and the Parliamentary Grant to Schools at present unassisted by the State," 926—
On March 14, Committee nominated as follows:—Sir John Pakington, Mr. Bruce, Mr. Walpole, Viscount Enfield, Lord Robert Cecil, Mr. William Edward Forster, Mr. Adderley, Mr. Clay, Mr. Howes, Sir Colman O'Loghlen, Mr. Walter, Mr. Thompson, Mr. Stirling, Mr. Buxton, and Mr. Liddell

Edwards, Lt.-Col. H., *Beverley*
River Waters Protection, 2R. 1343

Egerton, Mr. E. C., *Macclesfield*
Lancashire and Yorkshire and Great Eastern Junction Railway, 2R. 1656

Egypt—The Suez Canal
Question, Mr. Darby Griffith; Answer, Viscount Palmerston *Mar* 3, 1044

Elcho, Lord, *Haddingtonshire*
Army Estimates—Disembodied Militia, 1978;—Yeomanry, 1982;—Manufacturing Departments, 1993, 1997, 2000
Canada—Defences of—Colonel Jervois' Report, 1605
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Elections, General Committee of
On Feb 9, Select Committee appointed as follows:—Rt. Hon Sir Francis Thornhill Baring, Rt. Hon. Spencer Horatio Walpole, Rt. Hon. Lord Athlumney, Sir William Miles, Mr. George Ward Hunt, Mr. John Bonham-Carter

Election Petitions Act (1848) Amendment Bill
(*Sir Colman O'Loghlen, Mr. Adair*)
c. Bill ordered; read 1°* *Feb* 14 [Bill 19]
Read 2°* *Feb* 20
Considered in Committee after short debate; Report *Feb* 23, 632
Read 3°* *Feb* 27
l. Read 1ª* (*Marquess of Clanricarde*) *Mar* 2
Read 2ª* *Mar* 13 (No. 21)
Committee*; Report *Mar* 14

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Farquhar, Sir W. M. T., *Hertford*
Canada—Defences of—Colonel Jervois' Report, 1602
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Felony and Misdemeanor Evidence and Practice Bill
(*Mr. Denman, Mr. Locke, Sir C. O'Loghlen*)
c. Bill ordered; read 1° * *Feb* 14 [Bill 21]
Read 2° after short debate *Feb* 22, 576
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l. Read 1ª * (*Lord Chelmsford*) *Mar* 2 (No. 22)
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Question, Mr. White; Answer, Mr. Milner Gibson *Mar* 2, 958

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French, Colonel F., *Roscommon Co.*
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Question, Mr. Shaw Lefevre; Answer, Mr. Peel *Mar* 6, 1116

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Game (Ireland) Bill
(*Sir Hervey Bruce, Colonel Forde*)
c. Bill ordered; read 1° * *Feb* 24 [Bill 42]
Moved, "That the Bill be now read 2°," A. 50, N. 8; M. 42
Read 2° *Mar* 10, 1528

Game Licences (Ireland) Bill
(*Sir Robert Peel, Mr. Baring*)
c. Bill ordered; read 1° *Feb* 13, 224 [Bill 16]
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l. Read 1ª * (*The Lord Steward*) *Feb* 23 (No. 14)
Read 2ª * *Mar* 3
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Read 3ª * *Mar* 9
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- Union Officers (Ireland) Superannuation, 2R. 1907

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- Lancashire and Yorkshire and Great Eastern Junction Railway, 2R. 1659
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- Army—Number of the, 746

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- Poor Law Secretary, Res. 465

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- Courts of Justice Building, 2R. 307; 3R. 1026
- Courts of Justice Concentration (Site), Instruction to Comm. 932
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- Trade with Foreign Nations, Select Committee on, 1887

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- Army—Military Hospitals at Netley and Woolwich, 1113
- Canada—Defences of—Colonel Jervois' Report, 430
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- Destitute Poor (Metropolis), Returns moved for, 98
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- Question, Mr. Maguire; Answer, Mr. C. P. Villiers *Feb* 23, 596

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  (*The Lord Advocate, Sir William Dunbar*)
  c. Bill ordered; read 1° * *Mar* 2 [Bill 49]
  Read 2° * *Mar* 9

Herring Fishery (*Scotland*)
  Question, Mr. H. Baillie; Answer, Sir George Grey *Feb* 28, 846

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  Address in Answer to the Speech, 17
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  Poor Relief (Metropolis) Act (1864), Return moved for, 202

Howes, Mr. E., *Norfolk, E.*
  Great Yarmouth Borough, Haven and Port, 2R. 746

Hubbard, Mr. J. G., *Buckingham*
  Bank Notes Issue, 2R. 622
  Union of Benefices Act Amendment, Leave, Amendt. 1459

Hunt, Mr. G. W., *Northamptonshire, N.*
  County Voters Registration, Leave, 1363
  Juries in Criminal Cases, 2R. 1724

Hutt, Right Hon. W., (Paymaster of the Forces and Vice President of the Board of Trade), *Gateshead*
  Cheltenham and Gloucestershire Water, 2R. 492
  Hutt, Major General, Case of, 1538
  Malt for Cattle, 321

Hutt, Case of Major General
  Question, Mr. Roebuck; Answer, Mr. Hutt *Mar* 13, 1537

Hyde Park, Gardens in
Question, Mr. Blackburn ; Answer, Mr. W. F. Cowper *Mar* 17, 1830

India
Affairs of Bhootan, Question, Lord Stanley ; Answer, Sir Charles Wood *Feb* 13, 206
Azeem Jah—Nawab of the Carnatic, Motion for a Select Committee (*Sir FitzRoy Kelly*) *Mar* 14 ; after long debate, A. 38, N. 53 ; M. 15, 1663
Azeem Jah—Forged Signatures, Special Report of the Public Petitions Committee (*Mr. Charles Forster*) ; short debate thereon *Mar* 16, 1735 ; Select Committee appointed *Mar* 23 ; nominated *Mar* 24
Bombay Back Bay Shares, Observations, Mr. Henry Seymour ; Reply, Sir Charles Wood *Mar* 20, 1950
Calcutta, Moorings at, Question, Sir James Elphinstone ; Answer, Sir Charles Wood *Feb* 13, 207
Calcutta, Sanitary State of, Question, Mr. Vansittart ; Answer, Sir Charles Wood *Feb* 14, 238
Disinfecting Powder for India, Question, Colonel Sykes ; Answer, Sir Charles Wood *Feb* 20, 450
District Judges (*India*), Question, Sir Hugh Cairns ; Answer, Sir C. Wood *Feb* 13, 203
Indian Staff Appointments, Question, Mr. Torrens ; Answer, The Marquess of Hartington *Mar* 3, 1043
Kirwee Prize Money, Question, Mr. Miller ; Answer, Sir Charles Wood *Feb* 16, 288
Madras Irrigation Company, Question, Mr. Smollett ; Answer, Sir Charles Wood *Feb* 23, 598
Native Artillery, Question, Mr. Vansittart ; Answer, Sir Charles Wood *Mar* 6, 1118
Navigation of the Godavery, Question, Mr. Smollett ; Answer, Sir Charles Wood *Feb* 24, 658
Oude, Affairs of, Question, Lord Stanley ; Answer, Sir Charles Wood *Mar* 17, 1830
Oude, Talookdars and Cultivators of, Question, Lord Stanley ; Answer, Sir Charles Wood *Feb* 10, 138
Prize Money (*India*), Question, Mr. Cox ; Answer, Sir Charles Wood *Feb* 13, 209

India Office (Site and Approaches) Bill
(*Mr. Cowper, Sir Charles Wood*)
c. Ordered ; read 1° * *Mar* 7 [Bill 56]
Read 2° * and committed to a Select Committee *Mar* 20
And on March 23, Committee nominated as follows :—Mr. Cowper, Lord John Manners, Sir John Shelley, and Mr. Baillie Cochrane, and three Members to be added by the Committee of Selection.

Industrial Exhibitions — Protection of Inventions
Question, Mr. Berkeley ; Answer, Mr. Milner Gibson *Feb* 17, 320

Industrial Exhibitions Bill
(*Mr. Dodson, Mr. Att. General, Mr. M. Gibson*)
c. Resolution in Committee
Bill ordered ; read 1° * *Feb* 21 [Bill 36]
[*cont.*

Industrial Exhibitions—cont.
Read 2° * *Feb* 27
Committee * ; Report *Mar* 3
Considered * *Mar* 6
Read 3° * *Mar* 7
l. Read 1ª * (*The Lord Steward*) *Mar* 9 (No. 28)
Read 2ª * *Mar* 16
Committee * ; Report *Mar* 17
Read 3ª * *Mar* 20
Royal Assent [28 *Vict.* c. 3]

INGHAM, Mr. R., *South Shields*
India—Nawab of the Carnatic — Azeem Jah, Comm. moved for, 1707

Inns of Court Bill
(*Sir George Bowyer, Mr. Hennessy*)
c. Bill ordered ; after short debate read 1° *Feb* 27, 829 [Bill 44]

Insolvent Debtors Bill
(*Mr. Paull, Mr. Locke, Mr. McMahon*)
c. Bill ordered * *Feb* 14
Read 1° * *Feb* 15 [Bill 24]

Ireland
Administration of Justice, Question, Mr. Darby Griffith ; Answer, Sir Robert Peel *Mar* 16, 1740 ; Question, Colonel Greville ; Answer, Sir Robert Peel *Mar* 17, 1825 ; Moved, "That this House do now adjourn" (*Colonel Greville*) ; after short debate, Motion withdrawn
Arterial Drainage, Question, Lord Naas ; Answer, Sir Robert Peel *Feb* 8, 84
Barracks, Question, The Marquess of Clanricarde ; Answer, Earl De Grey and Ripon *Mar* 10, 1461
Belfast Riots at, Question, Mr. O'Reilly ; Answer, Sir Hugh Cairns *Feb* 17, 320 ; *The Royal Commission, Party Processions,* Question, Sir Hugh Cairns ; Answer, Sir R. Peel ; long debate thereon *Feb* 17, 328
Clonpriest, &c., Benefices—Church Patronage, Motion for Returns (*Mr. Scully*) 239 ; after debate, Motion amended, and agreed to *Feb* 14, 239
Constabulary, Arming of the, Petition (*The Earl of Leitrim*) *Feb* 14, 227
Constabulary—Clothing, Question, Mr. Vance ; Answer, Sir Robert Peel *Feb* 13, 206
Cork Harbour, Royal Dock in, Question, Mr. Hennessy ; Answer, Lord Clarence Paget *Feb* 9, 116
Court of Admiralty, Question, Mr. Maguire ; Answer, Sir Robert Peel *Feb* 8, 83
Courts of Common Law, Question, Mr. Butt ; Answer, Sir R. Peel *Feb* 28, 847
Darcy and Davidson, Motion for an Address for Papers connected with the Deaths of John Darcy and Robert Davidson (*The Earl of Leitrim*) *Feb* 10, 128 ; after debate, Motion withdrawn
Doyle, Patrick, Case of, Observations, Mr. Hennessy *Mar* 10, 1480
Grand Juries, Question, Mr. Hassard ; Answer, Sir Robert Peel *Feb* 13, 207
Illicit Distillation, The Constabulary, Question, The Earl of Leitrim ; Answer, Earl Granville *Feb* 16, 277 ; *Clare and Donegal,*
[*cont.*

IRELAND—*Illicit Distillation*—cont.
Address for a Return (*The Earl of Leitrim*) *Feb* 16, 280; after debate, Motion withdrawn
Game Licenses, Constabulary and the, Question, Mr. Dawson; Answer, Sir Robert Peel *Mar* 20, 1923
Irvin, Case of Mr. H. M. D'Arcy, Motion for Correspondence relating to the case of Mr. H. M. D'Arcy Irvin, and the relation of the Police Force of Ireland to the county Magistracy (*The Earl of Leitrim*); after short debate, Motion postponed *Feb* 10, 132; after debate, Motion amended, and agreed to *Feb* 14, 230
Mail Service, Question, Mr. Scully; Answer, Mr. Peel *Feb* 13, 204
Public Records relating to
Publication of Records, Question, Colonel Dunne; Answer, Mr. Peel *Feb* 16, 288
The Carew and Carte Records, Question, The Marquess of Clanricarde; Answer, Earl Granville *Feb* 27, 741
Brehon Laws, Question, Mr. M'Mahon; Answer, Mr. Peel *Feb* 27, 748
Patent and Close Rolls, Question, Mr. Longfield; Answer, Mr. Peel *Mar* 17, 1829
Poor Law (*Ireland*)
Medical Officers in Unions, Amendt. on Committee of Supply *Mar* 10, To leave out from "That" to the end of Question, and add "in the opinion of this House, Her Majesty's Government should now adopt the Recommendations of the Select Committee of 1858, which recommended Her Majesty's Government to take into consideration the claims of Ireland to a Grant of the half-cost of Medical Officers in Unions, with the view of providing for the same in future, as is now the practice in England and Scotland" (*Mr. MacEvoy*) 1516; Question proposed, "That the words, &c.;" after debate, Question put, A. 37, N. 34; M. 3
Paupers, Removal of, Question, Mr. Maguire; Answer, Mr. Villiers *Feb* 8, 83
Poor Law Board, Question, Mr. O'Reilly; Answer, Sir R. Peel *Mar* 14, 1661
Railways, Liabilities of Shareholders, Observations, The Earl of Belmore *Feb* 9, 95
Ryan, Case of Mary, Question, Mr. Scully; Answer, Sir George Grey *Mar* 13, 1535; Observations, The Marquess of Westmeath; Reply, Earl Russell *Mar* 14, 1646
Shannon, The, Question, Colonel French; Answer, Mr. Peel *Feb* 24, 660
State of, Amendt. on Committee of Supply *Feb* 24, To leave out from "That" to the end of Question, and add "this House observes with regret the decline of the population of Ireland, and will readily support Her Majesty's Government in any well-devised measure to stimulate the profitable employment of the people" (*Mr. Hennessy*), 661; Question proposed, "That the words, &c.;" after long debate, Moved, "That the debate be now adjourned" (*Mr. Maguire*); Motion negatived; after further debate, Debate adjourned; adjourned debate resumed *Feb* 27, 750; Question put, A. 107, N. 31; M. 76; Division List, 828
Stipendiary Magistrates, Mr. Ffrench, Question, Sir Hervey Bruce; Answer, Sir Robert Peel *Mar* 10, 1476
[*cont.*

IRELAND—cont.
Taxation of Ireland, on Motion of *Colonel Dunne*, Select Committee re-appointed *Mar* 2, 1027; Instruction, Sir Stafford Northcote
On Mar 17, Committee nominated as follows:—Colonel Dunne, Sir Edward Grogan, Mr. Longfield, The O'Conor Don, Mr. Hennessy, Sir Frederick Heygate, Sir George Colthurst, Sir Robert Peel, Sir Stafford Northcote, Mr. Howes, Mr. Hankey, Mr. Lowe, and Mr. Banks Stanhope.
Titles to Land Registration (*Ireland*), Question, Mr. Scully; Answer, Sir Robert Peel *Feb* 10, 139; Question, Mr. Scully; Answer, Sir George Grey *Feb* 27, 747
Union Medical Officers (*Ireland*), Question, Mr. Bagwell; Answer, Mr. Peel *Feb* 17, 319

Isle of Man Disafforestation (Compensation) Bill
(*Mr. Dodson, Mr. Peel, Mr. Chancellor of the Exchequer*)
c. Considered in Committee *Mar* 9, 1457
Report*; Read 1°* *Mar* 10 [Bill 67]

Italy—Passports at Rome
Question, Mr. H. Baring; Answer, Mr. A. H. Layard *Feb* 20, 450

JACKSON, Mr. W., *Newcastle-under-Lyme*
Commons and Open Spaces, Comm. moved for, 506
Piccadilly and Park Lane New Road, 2R. 596
Railway Accidents, Res. 1129
River Waters Protection, 2R. Amendt. 1335

JERVIS, Captain H. J. W., *Harwich*
Army Estimates—Enrolled Pensioners, 1985;—Manufacturing Departments, 1990
Guns for Coast Defences, 1944
Lancashire and Yorkshire and Great Eastern Junction Railway, 2R. 1660
Private Bills—Standing Order No. 7, 104

JOHNSTONE, Mr. H. A. B., *Canterbury*
Poland—Affairs of, Res. 1848

JOLLIFFE, Right Hon. Sir W. G. H., *Petersfield*
Army—The Ordnance Survey, 1091
Public Offices (Site and Approaches), Leave, 1307

Journals, Sub-Committee for the
Appointed *Feb* 7

Judgments (Ireland) Bill
(*Mr. Whiteside, Mr. George*)
c. Bill ordered; read 1°* *Mar* 13 [Bill 68]

Juries in Criminal Cases Bill
(*Sir Colman O'Loghlen, Mr. Longfield*)
c. Bill ordered; read 1°* *Feb* 16 [Bill 26]
Moved, "That the Bill be now read 2°," 1717; after debate, Motion withdrawn; Bill withdrawn *Mar* 15

Justices of the Peace (Discretionary Powers) Bill
(*Sir Charles Douglas, Mr. Henry Fenwick*)
c. Read 1° * *Mar* 13 [Bill 69]

Justices of the Peace Procedure Bill
(*Mr. Paull, Mr. Staniland, Mr. R. Hodgson*)
c. Bill ordered * *Feb* 14
Read 1° * *Feb* 15 [Bill 23]

Kekewich, Mr. S. T., *Devonshire, S.*
Wrecks on the Coast of Devon and Cornwall, 499

Kelly, Sir FitzRoy, *Suffolk, E.*
India—Nawab of the Carnatic — Azeem Jah, Comm. moved for, 1664, 1699
Law of Evidence, &c. Leave, 257; 2R. 939, 945
Malt, Res. 1223
River Waters Protection, 2R. 1355

Kendall, Mr. N., *Cornwall, E.*
River Waters Protection, 2R. 1335

King, Hon. P. J. L., *Surrey, E.*
Legacy and Succession Duty, 134, 447

Kinglake, Mr. Serjeant J. A., *Rochester*
Gunpowder, Storage of, 1116

Kinglake, Mr. A. W., *Bridgwater*
Address in Answer to the Speech, 77

Kingscote, Col. R. N. F., *Gloucestershire, W.*
Cheltenham and Gloucestershire Water, 2R. 495

Kinnaird, Hon. A. F., *Perth*
Army Estimates—Manufacturing Departments, 1998
Courts of Justice Building, 2R. 292
Courts of Justice Concentration (Site), Instruction to Comm. 926, 938
New Zealand—War in, 1511
Public Offices (Site and Approaches), Leave, 1303
United States—The Reciprocity Treaty, Papers moved for, 414

Kitchen and Refreshment Rooms (*House of Commons*)
On Feb 8, Committee appointed as follows:—Colonel French, Mr. Bentinck, Lord Robert Montagu, Mr. Dalglish, Colonel White, Mr. Onslow, and Mr. Alderman Rose

Knight, Mr. F. W., *Worcestershire, W.*
Agricultural Parishes, Returns moved for, 830, 831, 1201, 1202

Knox, Hon. Major W. S., *Dungannon*
Belfast—Riots at, 356, 357, 408

Lahore Bishopric Bill
Resolution in Committee * *Mar* 20

Laird, Mr. J., *Birkenhead*
Armstrong Guns for Foreign Governments, 960
Navy Estimates—Men and Boys, 1423
Navy—The "Royal Sovereign," 961;—Portsmouth Dockyard, 1117;—Dockyard Expenditure, 1119

Lancashire and Yorkshire and Great Eastern Junction Railway Bill (*by Order*)
c. Moved, "That the Bill be now read 2°," 1653
Amendt. to leave out "now," and add "upon this day six months" (*Viscount Galway*); Question proposed, "That the words, &c.," 1654
After debate, Question put, "That 'now,' &c.;" A. 121, N. 162; M. 41; Bill put off for six months *Mar* 14

Land Debentures Bill
(*Mr. Ayrton, Mr. Collins*)
c. Bill ordered * *Feb* 13
Read 1° * *Feb* 14 [Bill 18]
Read 2° * *Feb* 15; and committed to the Select Committee on Mortgage Debentures Bill
And, on *Feb* 17, Committee nominated (see *Mortgage Debentures Bill*).
Report * *Mar* 20 [Bill 79]

Land Debentures (Ireland) Bill
(*Mr. Scully, Sir Colman O'Loghlen, Mr. Pollard-Urquhart*)
c. Bill ordered; read 1° * *Feb* 10 [Bill 9]
Read 2° * *Feb* 15; and committed to the Select Committee on Mortgage Debentures Bill
And, on *Feb* 17, Committee nominated (see *Mortgage Debentures Bill*).
Report * *Mar* 20 [Bill 80]

Law of Evidence, &c., Bill
(*Sir FitzRoy Kelly, Mr. Macaulay, Mr. McMahon*)
c. Bill ordered; after debate, read 1° *Feb* 14, 257
Read 2° after debate *Mar* 1, 939 [Bill 20]

Lawson, Mr. W., *Carlisle*
Army Estimates—Yeomanry, Amendt. 1981, 1983
Licensing Laws, 1116
Liverpool Licensing, 2R. Amendt. 642
Saffron Hill Murder, 209

Layard, Mr. A. H. (Under Secretary for Foreign Affairs), *Southwark*
Agency Money—Consul General at St. Petersburg, 234
Brazil and Uruguay, 138, 658
British Embassy at Washington, 318
British Passports to Rome, 450
China—British Subjects in the Chinese Service, 287
Confederate State Cruisers, 1045; — Case of Captain Beale, 1536;—British Property in the, 1922
Duchies of Schleswig and Holstein, 750
New Cross Roads, 2R. 497
Slave Trade, 846

[*cont.*

Layard, Mr. A. H.—*cont.*
  Taxes in Europe, 958
  Trade with Foreign Nations, Select Committee on, 1873
  United States—The Reciprocity Treaty, Papers moved for, 414;—Claims for compensation, 1372, 1373

Leatham, Mr. E. A., *Huddersfield*
  Courts of Justice Concentration (Site), Instruction to Comm. 938

Lefevre, Mr. G. J. Shaw, *Reading*
  Army Estimates—Disembodied Militia, 1976
  Commons and Open Spaces, Comm. moved for, 510
  Confederate State Cruisers, 1044
  Fulmer Common, Inclosure of, 1116

Lefroy, Mr. A., *Dublin University*
  Clonpriest, &c. Benefices (Ireland), Returns moved for, 247
  Ireland—State of, Res. 791
  Navy—Naval Chaplains, 1536
  Railway Accidents, Res. 1134

Legacy and Succession Duty
  Question, Mr. Locke King; Answer, The Chancellor of the Exchequer *Feb* 10, 134; Question, Mr. Locke King; Answer, The Chancellor of the Exchequer *Feb* 20, 447

Leicester Square
  Question, Mr. Dawson; Answer, Mr. Cowper *Mar* 9, 1368

Leighton, Sir B., *Shropshire, S.*
  Prisons, Leave, 219

Leitrim, Earl of
  Address in Answer to the Speech, 33
  Illicit Distillation—The Constabulary, 277;—In Clare and Donegal, Return moved for, 280, 281
  Ireland—(John Darcy and Robert Davidson), Papers moved for, 128;—Magistracy and Police Force, Papers moved for, 132, 133;—Arming of the Constabulary, 227
  Irvin, Mr. D'Arcy, Papers moved for, 230

Leslie, Mr. W., *Aberdeenshire*
  Cattle, Diseases in, 1117
  China—Taxation at Hong Kong, 1119
  Roads (Scotland), 1922

Lewis, Mr. J. H., *Marylebone*
  Fires at Theatres, &c. 136
  Piccadilly and Park Lane New Road, 2R. 593
  Regent's Park—Bridge over the Canal, 600

Libel Bill
(*Sir C. O'Loghlen, Mr. Longfield, Mr. Hennessy*)
c. Bill ordered; read 1° *Feb* 21, 561 [Bill 33]

Licensing Laws, The
  Question, Mr. Lawson; Answer, Sir George Grey *Mar* 6, 1116

Liddell, Hon. G. H., *Northumberland, S.*
  Army Estimates—Manufacturing Departments, 1998
  River Waters Protection, 2R. 1350

Liverpool Licensing Bill (*by Order*)
c. Moved, "That the Bill be now read 2°," 642
  Amendt. to leave out from "That," and add "the granting of Licenses for the sale of intoxicating liquors is a subject which ought not at present to be dealt with by any Private Bill" (*Mr. Lawson*)
  After debate, Question "That the words, &c." put, and negatived; words added; Main Question, as amended, agreed to *Feb* 24

Local Government Supplemental Bill
(*Mr. Baring, Sir George Grey*)
c. Bill ordered; read 1°* *Mar* 7 [Bill 58]

Locke, Mr. J., *Southwark*
  Church Attendance on Sunday, Leave, 948
  Commons and Open Spaces, Comm. moved for, 507
  New Cross Roads, 2R. Amendt. 496
  Prisoners in Newgate, Treatment of, 599, 1022, 1024, 1026
  River Waters Protection, 2R. 1346
  Theatres, &c. Leave, 1529
  Union Chargeability, Leave, 484
  Westminster Bridge (Metropolis), 208

Locomotives on Roads Bill
(*Mr. Holland, Sir E Dering, Sir J. Hay*)
c. Bill ordered* *Mar* 9
  Read 1°* *Mar* 10 [Bill 63]

Long, Mr. R. P., *Chippenham*
  Address in Answer to the Speech, 64, 70, 71
  Medical Officers of Poor Law Unions, 235

Longfield, Mr. R., *Mallow*
  Game (Ireland), 2R. 1528
  Ireland—Patent and Close Rolls, 1829
  Juries in Criminal Cases, 2R. 1724

Longford, Earl of
  Army—Military Hospitals at Netley and Woolwich, 1113
  Canada—Defences of—Colonel Jervois' Report, 438
  Courts of Justice Site, 415; Returns moved for, 1918
  Destitute Poor (Metropolis), Returns moved for, 98
  Metropolitan Sewage—Report of Select Committee, 636
  Poor Relief (Metropolis) Act (1864), Return moved for, 202

Lowe, Right Hon. R., *Calne*
  Canada—Defences of—Colonel Jervois' Report, 1578
  Education, Comm. moved for, 869
  Felony and Misdemeanor Evidence and Practice, 2R. 579
  Ireland—State of, Res. 766
  Private Bill Costs, 2R. 570
  Trade with Foreign Nations, Select Committee on, 1861

Lyall, Mr. G., *Whitehaven*
- Mines and Timber, Rating of, 659
- Mauritius—Military Defence, 1743
- Poor Law Secretary, Res. 466

Lygon, Hon. F., *Worcestershire, W.*
- Courts of Justice Concentration (Site), Instruction to Comm. 931
- Public Offices (Site and Approaches), Leave, 1305, 1307
- Union of Benefices Act Amendment, Leave, 1460

Lyttelton, Lord
- Canada—Defences of—Colonel Jervois' Report, 432
- Education, National, 1734

Lytton, Right Hon. Sir E. G. Bulwer, *Hertfordshire*
- Malt, Resolution (*Sir FitzRoy Kelley*), 1242

Lyveden, Lord
- British Kaffraria, 2R. 1532
- Canada—Defences of—Colonel Jervois' Report, 416, 424, 440

MacEvoy, Mr. E., *Meath Co.*
- Ireland—Medical Officers in Unions, Res. 1516

Maguire, Mr. J. F., *Dungarvan*
- Address in Answer to the Speech, 67, 71
- Belfast—Riots at, 404, 408
- Brazil and Uruguay, 138, 658;—The River Plate, 1371
- Greenwich Union—Cases of Mary Moriarty and others, 596
- Ireland—Court of Admiralty, 83;—Removal of Paupers, 83;—State of, Res. 727, 728
- Navy—Mr. Clare's Patents, 449
- Union Officers (Ireland) Superannuation, 2R. 1908

McMahon, Mr. P., *Wexford Co.*
- Belfast—Riots at, 375
- Ireland—The Brehon Laws, 748;—State of, Res. 785
- Law of Evidence, 2R. 942
- Sea Fisheries, 748

Main Drainage (Metropolis)
- Question, Viscount Enfield; Answer, Mr. Tite *Feb* 13, 205

Malins, Mr. R., *Wallingford*
- Bank Notes Issue, 2R. 626
- Courts of Justice Building, Leave, 190, 193; 2R. 297

Malmesbury, Earl of
- Army—Barracks (Ireland), 1462
- Canada—Defences of—Colonel Jervois' Report, 432
- Ryan, Mary—Case of, 1651

Malt—Resolution
- Moved, "That in any future remission of Indirect Taxation, this House should take into consideration the Duty on Malt, with a view to its early reduction and ultimate repeal" (*Sir FitzRoy Kelly*) *Mar* 7, 1223
- Amendt. proposed, To leave out from "That" to the end of Question, and add "considering the immunities from taxation now enjoyed by the owners and occupiers of land, they are not entitled to any special consideration on account of the pecuniary pressure of the Malt Tax; and that if, on other grounds, that Tax should be reduced or abolished, compensation to the Revenue should be sought, in the first instance, by withdrawing from landed property the advantage it now has over other property in the shape of total exemption from Probate Duty and partial exemption from Succession Duty and Income Tax" (*Mr. Neate*), 1252
- Question proposed, "That the words, &c;" after long debate, Amendt. withdrawn
- Original Question again proposed; Whereupon previous Question put, "That that Question be now put" (*Mr. Hardcastle*); A. 171, N. 251; M. 80; Division List, 1298

Malt for Cattle
- Question, Mr. Fenwick; Answer, Mr. Hutt *Feb* 17, 321

Manners, Right Hon. Lord J. J. R., *Leicestershire, N.*
- Ireland—State of, Res. 827

Marine Mutiny Bill
(*Mr. Dodson, Lord Clarence Paget, Mr. Childers*)
- c. Bill ordered; read 1° * *Mar* 10
- Read 2° * *Mar* 20

Marriage Law, The
- Question, Sir Colman O'Loghlen; Answer, Sir George Grey *Feb* 20, 447

Married Women's Property (Ireland) Bill
(*Mr. Longfield, Sir C. O'Loghlen, Mr. Leader*)
- c. Bill ordered; read 1° * *Mar* 3 [Bill 60]

Marsh, Mr. M. H., *Salisbury*
- British Kaffraria, Comm. 1097
- Colonial Naval Defence, Comm. 1823
- Commons and Open Spaces, Comm. moved for, 514
- New Zealand—War in, 1500
- Private Bills, Standing Order No. 7, 111

Mauritius, The—Contribution for Military Defence
- Question, Mr. Lyall; Answer, Mr. Cardwell *Mar* 16, 1742

Metropolis
- *Destitute Poor*, Motion for Returns (*Lord Houghton*) *Feb* 9, 96
- *Metropolitan Police Rate*, Observations, Mr. Cox; Reply, Sir George Grey *Mar* 17, 1900

[*cont.*

Metropolis—cont.
Metropolitan Sewage, Report of the Select Committee, Observations, The Earl of Longford; debate thereon *Feb* 24, 636
Night Refuges, Question, Mr. Hanbury; Answer, Mr. C. P. Villiers *Mar* 20, 1920
Sewage of the Metropolis, Question, Mr. Blake; Answer, Mr. Tite *Mar* 10, 1479
Westminster Bridge, Question, Mr. Locke; Answer, Mr. Cowper *Feb* 13, 208

Metropolitan Houseless Poor Bill
(*Mr. C. P. Villiers, Viscount Enfield*)
c. Bill ordered; read 1° * *Mar* 20 [Bill 83]

Metropolitan Main Drainage [Guarantee of Repayment of Money] Bill
(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Peel*)
c. Resolution in Committee *Mar* 13, 1644
Bill ordered; read 1° * *Mar* 14 [Bill 73]
Read 2° * *Mar* 15
Committee *; Report *Mar* 16
Read 3° * *Mar* 17
l. Read 1ª * *Mar* 20 (*The Lord Stanley of Alderley*) (No. 40)

Metropolitan Sewage and Essex Reclamation Bill (by Order)
c. Moved, "That the Bill be read 2°" (*Sir William Russell*) *Feb* 28, 832
Amendt. to leave out "now," and add "upon this day six weeks" (*Mr. Crawford*)
Question proposed, "That 'now,' &c.;" after debate, Amendt. withdrawn
Bill read 2°, and committed to a Select Committee; Instruction to the Committee (*Mr. Ayrton*), 845
Select Committee nominated *Mar* 9; The Judge Advocate added *Mar* 13

Metropolitan Sewage, Report of the Select Committee
Observations, The Earl of Longford *Feb* 24, 636; Explanation, The Earl of Essex *Feb* 27, 735

Metropolitan Toll-Bridges Bill
(*Mr. Alderman Salomons, Mr. Locke, Mr. Jackson*)
c. Bill ordered; read 1° * *Mar* 1 [Bill 47]

Miles, Sir W., *Somersetshire, E.*
Colonial Naval Defence, Leave, 1029
Navy Estimates—Men and Boys, 1200

Miller, Mr. T. J., *Colchester*
India—Kirwee Prize Money, 288
Piccadilly and Park Lane New Road, 2R. 594

Mills, Mr. A., *Taunton*
British Kaffraria, 237; Comm. 1093, 1098; *cl.* 17, 1099
New Zealand—War in, 289, 290, 1481, 1747
Private Bill Costs, 2R. 570
Private Bills—Chairman's Casting Vote, 442

Mitford, Mr. W. T., *Midhurst*
Lancashire and Yorkshire and Great Eastern Junction Railway, 2R. 1655
Poor Law, 1115

Moffatt, Mr. G., *Honiton*
Bankruptcy Act, Select Committee moved for, 120

Monastic and Conventual Establishments
Amendt. on Committee of Supply *Mar* 3, to leave out from "That" to end of Question, and add "a Select Committee be appointed to inquire into the existence, character, and increase of Monastic or Conventual Societies or Establishments in Great Britain" (*Mr. Newdegate*), 1045
Question proposed, "That the words, &c.;" after long debate, Question put; A. 106, N. 79; M. 27; Division List, Ayes and Noes, 1086

Moncreiff, Right Hon. J., *see* Advocate, The Lord

Monsell, Right Hon. W., *Limerick Co.*
Army Estimates—Clothing Establishments, 1974
Guns for Coast Defences, 1934
Ireland—State of, Res. 702

Montagu, Lord R., *Huntingdonshire*
Cheltenham and Gloucestershire Water, 2R. Amendt. 490
Metropolitan Sewage and Essex Reclamation, 2R. 841
Navy Accounts, &c. 501
Public Accounts, Committee of, 320
River Waters Protection, Leave, 127; 2R. 1309, 1333, 1357
Sewage Utilization, Leave, 127; 2R. 1360

Montrose, Duke of
Bankruptcy and Insolvency (Ireland), 2R. 1222
Edmunds, Leonard—Resignation of, Comm. moved for, 1217

Moor, Mr. H., *Brighton*
Transportation to Australia, 137

Morritt, Mr. W. J. S., *Yorkshire, N.R.*
Army—Sentences of Courts Martial, 1042
Malt, Res. 1269

Mortgage Debentures Bill
(*Lord Naas, Colonel Greville*)
c. Bill ordered; read 1° * *Feb* 8 [Bill 1]
Read 2°, after long debate, and committed to a Select Committee *Feb* 15, 262
On Feb 17, Committee nominated as follows:—Lord Naas, Lord Stanley, Mr. Ayrton, Mr. Scully, Mr. Walpole, Mr. Goschen, Mr. George Grenfell Glyn, Sir James Elphinstone, Mr. Hodgkinson, Sir Colman O'Loghlen, Mr. Howes, Mr. Wentworth Beaumont, Mr. Peel, and The Judge Advocate

[*cont.*

Mortgage Debentures Bill—cont.
And, on Feb 20, Mr. Hunt added; Feb 21, Mr. Longfield and Mr. Pollard-Urquhart added
Report* *Mar* 14 [Bills 72, 125]

Municipal Corporations (Ireland) Act Amendment Bill
(*Mr. Blake, Mr. M'Mahon*)
c. Bill ordered; read 1° *Mar* 7, 1301 [Bill 54]

Mutiny Bill
(*Mr. Dodson, The Marquess of Hartington, The Lord Advocate*)
c. Bill ordered; read 1°* *Mar* 17
Read 2° *Mar* 20

NAAS, Right Hon. Lord, *Cockermouth*
Ireland—Arterial Drainage, 84
Mortgage Debentures, 2R. 262

Navy, The
Armaments of Ships, Amendt. on Committee of Supply *Mar* 2, to leave out from "That" to end of Question, and add "a Select Committee be appointed to inquire whether Her Majesty's Ships are at present armed in a manner suited to the necessities and requirements of modern warfare" (*Mr. Henry Baillie*), 962
Question proposed, "That the words, &c.;" after long debate, Question put, A. 57, N. 22; M. 35
Accounts, &c., Question, Lord Robert Montagu; Answer, Mr. Peel *Feb* 21, 501
Armour-Plated Ships in the Channel Fleet, Question, Sir James Elphinstone; Answer, Lord Clarence Paget *Feb* 10, 140
Captain Coles' Cupola, Question, Mr. Damer; Answer, Lord C. Paget *Mar* 14, 1661
Chaplain General of the, Observations, Sir Harry Verney, 1003; Reply, Mr. Childers *Mar* 2, 1017
Chaplains in the, Question, Mr. Lefroy; Answer, Mr. Childers *Mar* 13, 1536
Cowes Trinity Pilots, Question, Mr. Clifford; Answer, Lord C. Paget *Feb* 23, 600
Devonport Dockyard — Payment for Extra Time, Question, Mr. Ferrand; Answer, Lord C. Paget *Mar* 16, 1738
Dockyard Accounts, Observations, Mr. Seely, 1010; Reply, Mr. Childers *Mar* 2, 1017
Dockyard Expenditure, Question, Mr. Laird; Answer, Lord C. Paget *Mar* 6, 1119
Dockyard Superannuation, Question, Sir Arthur Buller; Answer, Lord C. Paget *Feb* 20, 452
Dockyards, Wages in, Observations, Mr. Ferrand; Reply, Mr. Childers *Mar* 6, 1136
Estimates, Question, Sir John Pakington; Answer, Lord C. Paget *Feb* 27, 750
"Galatea," Rumoured Loss of the, Question, Sir John Pakington; Answer, Lord C. Paget *Mar* 2, 961
Greenwich Hospital, Question, Sir Morton Peto; Answer, Mr. Childers *Mar* 20, 1923
Masters and Staff Commanders, Question, Sir Lawrence Palk; Answer, Lord C. Paget *Mar* 2, 959
Portsmouth Dockyard, Question, Mr. Laird; Answer, Lord C. Paget *Mar* 6, 1117
[*cont.*

Navy—cont.
"Royal Sovereign," Repairs of the, &c., Question, Sir James Elphinstone; Answer, Lord C. Paget *Feb* 21, 501; Question, Mr. Laird; Answer, Lord C. Paget *Mar* 2, 961
Sayer's Lifeboat, Question, Sir John Hay; Answer, Lord C. Paget *Feb* 24, 659
"Wreck Abstract," Question, Mr. Bentinck; Answer, Mr. Milner Gibson *Mar* 14, 1662

NEATE, Mr. C., *Oxford City*
Cheltenham and Gloucestershire Water, 2R. 491
Church Attendance on Sunday, Leave, 948
India—Nawab of the Carnatic—Azeem Jah, Comm. moved for, 1696
Ireland—Medical Officers in Unions, Res. 1522
Malt, Res. Amendt. 1252, 1298
Monastic and Conventual Establishments, Comm. moved for, 1069
Prisons, Leave, 220
Wakefield Gaol, 1087

New Cross Roads Bill (by Order)
c. Moved, "That the Bill be read 2° upon this day fortnight" (*Mr. Angerstein*), 496
Amendt. to leave out "fortnight," and insert "six months" (*Mr. Locke*); after debate, Question, "That the word 'fortnight' stand part of the Question," negatived; Bill put off for six months *Feb* 21

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
Army Estimates — Manufacturing Departments, 1994, 1997
Belfast—Riots at, 407, 408
France—Commercial Treaty with, 1755
Liverpool Licensing, 2R. 650
Monastic and Conventual Establishments, Comm. moved for, 1045, 1080; Explanation, 1638, 1643
Poor Law Secretary, Res. 468
Qualification for Offices Abolition, 2R. 210

Newgate, Treatment of Prisoners in
Question, Mr. Locke; Answer, Sir George Grey, *Feb* 23, 599; Observations, Mr. Locke; Reply, Sir George Grey *Mar* 2, 1022

New Members Sworn
Feb 7. Lord Courtenay, *Exeter*
Lord Augustus Henry Charles Hervey, *Suffolk County (Western Division)*
William Davenport Bromley, esq., *Warwick County (Northern Division)*
William Morris, esq., *Carmarthen Borough*
Hon. George Waldegrave-Leslie, *Hastings*
Feb 9. Hon. George Frederick Boyle, *Bute County*
Feb 16. John Cheetham, esq., *Salford*
Feb 21. Frederick Martin Williams, esq., *Truro*
Feb 24. Henry William Schneider, esq., *Lancaster Borough*
Feb 27. Nicholas Daniel Murphy, esq., *Cork City*
Mar 6. Charles Moore, esq., *Tipperary County*
Mar 7. Daniel O'Donoghue, esq., commonly called The O'Donoghue, *Tralee*

New Writs during the Recess
For Hastings, *v.* Lord Harry Vane, now Duke of Cleveland
For Carmarthen Borough, *v.* David Morris, esq., deceased
For Suffolk County (Western Division), *v.* Earl Jermyn, now Marquess of Bristol
For Warwick County (Northern Division), *v.* Richard Spooner, esq., deceased
For Bute County, *v.* David Mure, esq., one of the Judges of the Court of Session in Scotland

New Writs issued
Feb 7 — *For* Tralee, *v.* Right Hon. Thomas O'Hagan, one of the Judges of the Court of Common Pleas in Ireland
Feb 7—*For* Cork City, *v.* Francis Lyons, esq., Steward of Hempholme
Feb 7—*For* Salford, *v.* Right Hon. William Nathaniel Massey, Member of the Council of India
Feb 7—*For* Truro, *v.* Montague Edward Smith, esq., one of the Judges of the Court of Common Pleas
Feb 13—*For* Tipperary County *v.* The O'Donoghue, Chiltern Hundreds
Feb 14—*For* Lancaster Borough, *v.* Samuel Gregson, esq., deceased
Mar 9—*For* Wilts (Northern Division), *v.* The Right Hon. Sutton Sotheron Estcourt, Manor of Northstead

New Zealand, The War in
Question, Mr. Arthur Mills; Answer, Mr. Cardwell *Feb* 16, 289 :—Observations, Mr. Arthur Mills; long debate thereon; Reply of Mr. Cardwell *Mar* 10, 1481 :—Question, Sir John Trelawny; Answer, Mr. Cardwell *Mar* 16, 1742

Night Refuges (Metropolis)
Question, Mr. Hanbury; Answer, Mr. Villiers *Mar* 20, 1920

Norris, Mr. J. T., *Abingdon*
Metropolitan Sewage and Essex Reclamation, 2R. 845
Prisons, Leave, 219; 2R. 1362

North, Colonel J. S., *Oxfordshire*
Army Estimates—Land Forces, 1791, 1793, 1820;—Pay and Allowances, 1822; Amendt. 1955, 1971;—Disembodied Militia, 1979;—Enrolled Pensioners, 1984
Army—Recruiting, Commission moved for, 523
Commons and Open Spaces, Comm. moved for, 506
Infectious Patients in Workhouses, 1533

Northcote, Sir S. H., *Stamford*
Army Estimates—Land Forces, 1788
Army—The War Office, 1830
Ireland—State of, Res. 807
Navy Estimates—Men and Boys, 1163
Trade with Foreign Nations, Select Committee on, 1882

Notices of Motion and Orders of the Day
Question, Lord Robert Cecil; Answer, Mr. Speaker *Feb* 17, 322

O'Brien, Sir P., *King's Co.*
Belfast—Riots at, 409
Ireland—State of, Res. 689

O'Conor Don, The, *Roscommon Co.*
Ireland—State of, Res. Adj. moved, 733

O'Donoghue, The, *Tipperary*
Conventual Establishments, 1642

O'Loghlen, Sir C., *Clare Co.*
Juries in Criminal Cases, 2R. 1717
Libel, Leave, 561
Marriage Law, 447

Open Spaces (Metropolis)—See *Commons and Open Spaces*

O'Reilly, Mr. M. W., *Longford Co.*
Address in Answer to the Speech, Report, 88
Army Estimates — Land Forces, 1805;—Pay and Allowances, 1957, 1969
Army—Recruiting, Commission moved for, 515, 534; — Irish or Roman Catholic Recruits, 1739
Election Petitions Act (1848) Amendment, Comm. 633
Ireland—Belfast Commission of Inquiry, 119; —Riots at Belfast, 320, 390;—State of, Res. 777;—Poor Law Board, 1661

Outlawries Bill
Bill "for the more effectual preventing Clandestine Outlawries," read 1° * *Feb* 7

Packe, Colonel G. H., *Lincolnshire, S.*
Railways, 237

Packe, Mr. C. W., *Leicestershire, S.*
Liverpool Licensing, 2R. 654
Public Offices (Site and Approaches), Leave, Adj. moved, 1306

Paget, Vice-Admiral Lord C. E. (Secretary of the Admiralty), *Sandwich*
Cowes Trinity Pilots, 600
Ireland—Royal Dock in Cork Harbour, 116
Navy Armaments, Comm. moved for, 1001
Navy — Armour-plated Ships in the Channel Fleet, 140;—Mr. Clare's Patents, 449;—Superannuation in the Dockyards, 452;—Repairs of the "Royal Sovereign," &c. 501, 961;— Captain Sayer's Life Boat, 659;—Masters and Staff Commanders, 959; —Rumoured Loss of the "Galatea," 962;—Portsmouth Dockyard, 1117; — Dockyard Expenditure, 1120;—Captain Coles' Cupola, 1662;—Devonport Dockyard—Payment for Extra Time, 1739
Navy Estimates, 750;—Men and Boys, 1146, 1155, 1156, 1162, 1163, 1172, 1173, 1192, 1201, 1402, 1403, 1404, 1405, 1406, 1408, 1410, 1411, 1414, 1417, 1449, 1451, 1452, 1453, 1454, 1456

PAKINGTON, Right Hon. Sir J., *Droitwich*
Education—Revised Code of Regulations, 327;—Comm. moved for, 847, 924
Navy Estimates, 750;—Men and Boys, 1155, 1162, 1171, 1173, 1402, 1405, 1406, 1410, 1411, 1448, 1453
Navy—Rumoured loss of the "Galatea," 961

PALK, Sir L., *Devonshire, S.*
Education, Comm. moved for, 887
Navy—Masters and Staff Commanders, 95

PALMER, Sir R., *see* ATTORNEY GENERAL The

PALMERSTON, Right Hon. Viscount (First Lord of the Treasury), *Tiverton*
Army Estimates—Pay and Allowances, 1823, 2000
Belfast—Riots at, 354
Brazil and Uruguay—The River Plate, 1372
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Canada and the United States, Papers moved for, 148;—Defences of—Colonel Jervois' Report, 1633
Courts of Justice Concentration (Site), Instruction to Comm. 937, 938
Egypt—The Suez Canal, 1044, 1760
Gregson, Mr., The late, 286
Ireland—State of, Res. 727, 821, 827
Navy Estimates—Men and Boys, 1201, 1456
Poland—Affairs of, Res. 1843
Poor Law Board, 237;—Secretary to the, Res. 467
Public Offices (Site and Approaches), Leave, 1305, 1306

Parliament, Meeting of the
PARLIAMENT OPENED BY COMMISSION *Feb* 7

The Lords Commissioners' Speech

LORDS—
Address to Her Majesty on the Lords' Commissioners' Speech—An humble ADDRESS TO HER MAJESTY moved by The Earl of CHARLEMONT (the Motion being seconded by The Lord HOUGHTON) and, after long debate, agreed to *Feb* 7, 7
HER MAJESTY'S ANSWER TO THE ADDRESS reported *Feb* 10, 128

COMMONS—
THE LORDS COMMISSIONERS' SPEECH reported; Resolution for an humble ADDRESS thereon moved by *Sir Hedworth Williamson* (the Motion being seconded by *Mr. Hanbury Tracy*) *Feb* 7, 40; after long debate, Motion agreed to
Report of Address brought up, and read; Address read 2° *Feb* 8, 85
Amendt. proposed, In paragraph 11, to leave out the words "and that Ireland during the past year has had its share in the advantages of a good Harvest, with a gradual extension of Trade and Manufacturers," in order to insert the words "we regret that the general condition of Ireland cannot be regarded as prosperous or satisfactory, and that multitudes of the inhabitants continue to emigrate to foreign countries through the want of remunerative employment at home" (*Mr. Scully*); after debate, Question put, "That the words proposed to be left out stand part of the said Address;" A. 67, N. 12; M. 55; after further debate, Address agreed to
HER MAJESTY'S ANSWER TO THE ADDRESS reported *Feb* 10, 155

Parliament, The New Houses of
Extension of New Palace Yard, Question, Sir John Shelley; Answer, Mr. Cowper *Feb* 21, 498

Partnership Amendment Bill
(*Mr. Dodson, Mr. Milner Gibson, Mr. Hutt*)
c. Resolution in Committee *Mar* 6, 1202
Bill ordered; read 1°* *Mar* 6 [Bill 52]

Patent Laws
Question, Mr. Hibbert; Answer, The Attorney General *Mar* 10, 1475

Patent Office, Alleged irregularities in the
Question, Lord Stanley; Answer, The Attorney General *Mar* 6, 1120
Mr. Edmunds, Question, Mr. Hodgkinson; Answer, Sir George Grey *Mar* 20, 1921
See *Edmunds, Leonard, Esq.*

Patent Rights—Shepard's, Wright's and Spencer's Patents Bills
Observations, Lord Redesdale *Feb* 24, 635

PATTEN, Colonel J. W., *Lancashire, N.*
Private Bills—Standing Order No. 7, 106, 113;—Printing Petitions, 114; Res. 286;—Chairman's Casting Vote, 441, 446

PEACOCKE, Mr. G. M. W., *Maldon*
Canada—Dismissal of Judge Coursol, 137
Commons and Open Spaces, Comm. moved for, 510
Confederate States—Case of Captain Beale, 1536
Guns for Coast Defences, 1927, 1928, 1930
Ireland—State of, Res. 818
Navy Armaments, Comm. moved for, 999, 1003
Private Bills—Chairman's Casting Vote, 445
United States—The Reciprocity Treaty, Papers moved for, 414

PEASE, Mr. H., *Durham, S.*
Public Offices (Site and Approaches), Leave, 1303

PEEL, Right Hon. Sir R. (Chief Secretary for Ireland) *Tamworth*
Address in Answer to the Speech, 70, 71; Report, 88, 90
Belfast—Commission of Inquiry at, 119;—Riots at, 347, 353, 354, 355, 356, 360, 367, 368, 369, 371, 385
Clonpriest, &c. Benefices (Ireland), Returns moved for, 244

[*cont.*

PEEL, Rt. Hon. Sir R.—*cont.*
Constabulary (Ireland) Clothing, 206
Courts of Common Law (Ireland), 847
Game Licences (Ireland), Leave, 224
Ireland — Court of Admiralty, 83 ;—Arterial Drainage, 84 ;— Titles to Land, 139 ;— Grand Juries, 207 ;—State of, Res. 708 ;— Stipendiary Magistrates—Mr. Ffrench, 1476 ; —Poor Law Board, 1661 ;—Administration of the Law, 1740, 1741, 1826, 1828 ;—The Constabulary and the Game Licences, 1924
Municipal Corporations (Ireland) Act Amendment, Leave, 1301
Union Officers (Ireland) Superannuation, 2R. 1907, 1909

PEEL, Right Hon. Lt.-Gen. J., *Huntingdon*
Army Estimates—Land Forces, 1782 ;—Disembodied Militia, 1979 ;— Enrolled Pensioners, 1983 ;—Manufacturing Departments, 1992
Navy Armaments, Comm. moved for, 992
Piccadilly and Park Lane New Road, 2R. 593
Private Bills—Printing Petitions, Res. Amendt. 283

PEEL, Right Hon. F. (Joint Secretary to the Treasury), *Bury*
British and North American Steam Ship Company, 1368
Civil Service Estimates, 1906
Fulmer Common, Inclosure of, 1117
Government Annuities, 958
Ireland—Mail Service, 204 ;— Publication of Irish Records, 288 ;—The River Shannon, 660 ;—The Brehon Laws, 748 ;— Medical Officers in Unions, Res. 1523 ;—Patent and Close Rolls, 1830
Man, Isle of, Disafforestation (Compensation), Comm. 1457
Navy, Accounts, &c. 502
Supply—Redemption of the Scheldt Toll, 1456
Union Medical Officers (Ireland), 320
West India and Pacific Steam Ship Company's Mail Contract, 1921

Perth Provisional Order Confirmation Bill
(*Mr. Baring, Sir George Grey*)
c. Bill ordered ; read 1° * *Mar* 8 [Bill 61]
Read 2° * *Mar* 13
Committee * ; Report *Mar* 14
Read 3° * *Mar* 16
l. Read 1ª * (*The Lord Privy Seal*) *Mar* 17 (No. 38)

PETO, Sir S. M., *Finsbury*
Army Estimates—Manufacturing Departments, 1986, 1987, 2000
Navy Estimates—Men and Boys, Adj. moved, 1201, 1373
Navy—Greenwich Hospital, 1923

Piccadilly and Park Lane New Road Bill (by Order)
c. Moved, " That the Bill be now read 2°," 589 ; Amendt. to leave out " now," and add " upon this day six months " (*Sir J. Fergusson*); Question proposed, " That ' now ' &c. ;" after debate, Amendt. withdrawn ; Bill read 2° *Feb* 23

Pilotage Order Confirmation Bill
(*Mr. Milner Gibson, Mr. Hutt*)
c. Resolution in Committee
Bill ordered ; read 1° * *Feb* 17 [Bill 28]
Read 2° * *Feb* 20 ; committed to a Select Committee
Report * *Mar* 20 [Bill 18]

Plate, The River
See *Brazil and Uruguay*

Poland
Amendt. on Committee of Supply *Mar* 17, To leave out from " That" to end of Question, and add " Whereas the Russian Government shows its determination to set at nought the engagements it contracted in 1815 respecting Poland :
" Whereas the respect of those engagements was the condition on which the Powers of Europe consented to recognize as lawful the possession by the Russian Tsar of the greatest part of ancient Poland :
" This House cannot any longer abstain from proclaiming that the violation of those engagements implies the forfeiture by the Tsar of all right to such dominion, and also of all right to any further payment by this country of the annual sum conceded to Russia under the name of Russo-Dutch Loan, that payment having been, in 1815, undertaken to be paid during the space of one hundred years in consideration of Russia faithfully co-operating in the maintenance of the stipulations of the same Treaty of 1815 " (*Mr. Hennessy*), 1831
Question proposed, " That the words, &c. ;" after debate, Amendt. withdrawn

POLLARD-URQUHART, Mr. W., *Westmeath Co.*
Army Estimates—Land Forces, 1797 ;—Pay and Allowances, 1964
Ireland—State of, Res. 793
Union Officers (Ireland) Superannuation, 2R. 1907

Poor Law
Infectious Patients in Workhouses, Question, Colonel North ; Answer, Viscount Enfield *Mar* 13, 1533
Medical Officers of Poor Law Unions, Question, Mr. Richard Long ; Answer, Mr. C. P. Villiers *Feb* 14, 235
Night Refuges (*Metropolis*), Question Mr. Hanbury ; Answer, Mr. C. P. Villiers *Mar* 20, 1920
Poor Law Board, Question, Mr. Augustus Smith ; Answer, Viscount Palmerston *Feb* 14, 237
Poor Law Secretary, Moved, " That the office of the one Secretary, rendered capable of sitting or voting as a Member of the Commons' House of Parliament by the ninth clause of the Poor Law Act, lately vacated, ought to be abolished" (*Mr. Augustus Smith*) *Feb* 20, 456 ; after debate, Question put ; A. 17, N. 193 ; M. 176
Poor Rates, Metropolitan and Suburban Districts, Petition, Lord Ravensworth *Feb* 16, 278

[*cont.*

Poor Law—cont.

Poor Relief (Metropolis) Act (1864), Motion for "Return of the Number of Unions or Parishes that have availed themselves of the Act of 29th July, 1864, &c." (*Lord Houghton*) *Feb* 13, 202; after short debate, Motion agreed to

Unions and Gilbert's Unions, Question, Mr. Mitford; Answer, Mr. C. P. Villiers *Mar* 6, 1115—See *Ireland*

Post Office — The Three-penny Postage Stamp

Question, Mr. Darby Griffith; Answer, The Chancellor of the Exchequer *Feb* 17, 409

Potter, Mr. E., *Carlisle*

Science and Art Department, 500

Powell, Mr. F. S., *Cambridge*

Courts of Justice Building, 2R. 290

Education, Comm. moved for, 892

Sewage Utilization, 2R. 1360

Powell, Mr. J. J., *Gloucester*

Borough Franchise Extension, Leave, 560

Cheltenham and Gloucestershire Water, 2R. 493

Printing—Select Committee appointed

On Feb 10, Committee nominated as follows:—Mr. Bonham-Carter, Sir John Pakington, Sir Francis Baring, Mr. Walpole, Mr. Henley, Mr. Cardwell, Mr. Sotheron Estcourt, Mr. Gaskell, Sir Stafford Northcote, Mr. Greene, Mr. Peel, The O'Conor Don, and Mr. Hastings Russell

Prisons Bill (*Sir George Grey, Mr. Baring*)

c. Bill ordered; after long debate read 1° *Feb* 13, 212

Read 2° *Mar* 8, after debate, and committed to a Select Committee, 1361 [Bill 15]

On March 13, Committee nominated as follows:—Sir George Grey, Mr. Adderley, Mr. Beach, Mr. Henley, Mr. Hibbert, Mr. Hardy, Mr. Hanbury, Lord Edward Howard, Mr. Hunt, Sir William Miles, Sir John Pakington, Mr. Joseph Ewart, Mr. Walter, Mr. Perry-Watlington, and Mr. Whitbread

Prison Libraries

Question, Mr. Hardcastle; Answer, Sir George Grey *Feb* 27, 747

Private Bill Costs Bill

(*Mr. Scourfield, Mr. Crawford*)

c. Bill ordered; read 1°* *Feb* 10 [Bill 7]

Read 2° after debate *Feb* 22, and committed to a Select Committee (*Mr. Milner Gibson*)

On Feb 24, Committee nominated as follows:—Mr. Scourfield, Mr. Milner Gibson, Lord Hotham, Colonel Wilson Patten, Mr. Lowe, Mr. Roebuck, Mr. Denman, Mr. Pugh, Mr. Caird, and Mr. Arthur Mills

And, on Feb 27, Mr. Watkin added

Committee*; Report *Mar* 8

Considered *Mar* 9

Read 3°* *Mar* 10

l. Read 1ᵃ* (*Lord Houghton*) *Mar* 13 (No. 31)

Private Bills

Private Bills, Orders respecting (Lords) *Feb* 9, 98

Opposed Private Bills, Committee appointed (Lords) *Feb* 16, 278

Opposed Private Bills, On Motion of *The Chairman of Committees*, Resolved, "That all Petitions praying to be heard upon the merits against any Bill in either of the Classes mentioned in Standing Order No. 178, be printed by the Petitioners, and Copies thereof deposited in the Office of the Clerk of the Parliaments, at such Time and in such Numbers as the Chairman of Committees may direct," *Feb* 16, 278

Opposed Private Bills, Resolutions as to Petitioners against Private Bills (*The Chairman of Committees*) *Feb* 27, 743

Appointment of Referees (Commons) *Feb* 9, 98

Chairman's Casting Vote—New Standing Order, Moved, "That all questions before Committees on Private Bills shall be decided by a majority of voices, and whenever the voices are equal, the question shall be resolved in the negative" (*Colonel Wilson Patten*) *Feb* 20, 441; after debate, Question put, and negatived

Fees of Parliamentary Counsel, Question, Mr. Darby Griffith; Answer, Mr. Milner Gibson *Feb* 21, 498

Lords' Minutes of Evidence, Moved, "That a Message be sent to the Lords requesting their Lordships to communicate to this House the Minutes of Evidence which may be taken before every Committee on a Private Bill originating in the present Session with their Lordships, and sent down to this House" (*Mr. Henry Seymour*) *Feb* 9, 115; after debate, Motion agreed to

Printing Petitions, Moved, "That on every Private Bill, to be considered by a Committee of this House, all Petitions presented against such Bills be printed at the expense of the Petitioners, and Copies of those Petitions, as well as a Copy of the Bill to be considered, be delivered to each Member of the Committee not less than two days previous to its assembling" (*Mr. Torrens*) *Feb* 9, 113; after debate, Motion withdrawn

Resolutions (*Mr. Torrens*); Amendt. (*General Peel*) *Feb* 16, 282; after short debate, Amendt. withdrawn

Select Committees on, Standing Order No. 7 read; Amendt. to leave out "four" and insert "three" (*Mr. Charles Forster*) *Feb* 9; after debate, Question put, "That the word 'four' stand part of the said Standing Order;" A. 154, N. 72; M. 82

Private Bills—Standing Order Committee on, appointed (Lords) *Feb* 16, 278

Privileges

Ordered, That a Committee of Privileges be appointed *Feb* 7

Proby, Right Hon. Lord (Comptroller of the Household), *Wicklow Co.*

Lords Commissioners' Speech, Her Majesty's Answer to Address, 155

Public Accounts, Committee of
Question, Lord Robert Montagu; Answer, The Chancellor of the Exchequer *Feb* 17, 320
On Feb 20, Select Committee nominated as follows:—Mr. Walpole, Mr. Edward Pleydell Bouverie, Sir Stafford Northcote, Sir Henry Willoughby, Mr. Peel, Lord Robert Montagu, Mr. Howes, Mr. Goschen, and Mr. Pollard-Urquhart

Public House Closing Act (1864) Amendment Bill (*Mr. Cox, Mr. Goschen*)
c. Bill ordered after debate *Feb* 14, 251
Read 1° * *Feb* 15 [Bill 22]

Public Offices (Site and Approaches) Bill (*Mr. Cowper, Sir Charles Wood*)
c. Motion for leave (*Mr. Cowper*), 1301
After debate, Moved, "That the debate be now adjourned" (*Mr. Packe*); Motion withdrawn; Main Question put, and agreed to
Bill ordered; read 1° *; and referred to the Examiners of Petitions for Private Bills *Mar* 7 [Bill 55]
Read 2° *; Committed to a Select Committee *Mar* 20
And on March 23, Committee nominated as follows:—Mr. Cowper, Lord John Manners, Sir John Shelley, and Mr. Baillie Cochrane, and three Members to be added by the Committee of Selection.

Public Petitions
On Feb 13, Committee appointed as follows:—Mr. Bonham-Carter, Sir James Fergusson, Mr. Charles Forster, Mr. Gard, Major Gavin, Captain Gray, Sir Edward Grogan, Mr. Hope Johnstone, Mr. Lyall, Mr. Taverner John Miller, Sir Colman Michael O'Loghlen, Mr. Hastings Russell, Mr. Alderman Salomons, Mr. Owen Stanley, and Viscount Enfield

Public Schools Bill [H.L.] (*The Earl of Clarendon*)
l. Presented; read 1ª * *Mar* 13 (No. 32)

PUGH, Mr. D., *Carmarthenshire*
Private Bill Costs, 2R. 566

Qualification for Offices Abolition Bill (*Mr. Hadfield, Sir Morton Peto, Mr. Baines*)
c. Bill ordered; read 1° * *Feb* 9 [Bill 2]
Read 2° after debate, and committed to a Select Committee *Feb* 13, 212
On March 1, Committee nominated as follows;—Mr. Hadfield, Mr. Peel, Mr. L. King, Sir John Trelawny, Mr. W. E. Forster, Mr. Bright, Mr. Remington Mills, Mr. Baines, Lord Robert Montagu, Sir Brook Bridges, Mr. Edward Egerton, Mr. Sclater-Booth, Mr. Mowbray, Mr. R. Long, and Mr. F. S. Powell
Committee *; Report *Mar* 9; Re-comm. * *Mar* 16 [Bill 62]
Considered * *Mar* 17

Railway Accidents
Question, Mr. Bentinck; Answer, Mr. Milner Gibson *Feb* 9, 116; Amendt. on Committee of Supply *Mar* 6, to leave out from "That" to end of Question, and add — "In consequence of the frequency and of the increasing number of Accidents on Railways, and the absence of any power in the executive Government to interfere for their better prevention, it is, in the opinion of this House, desirable that power should be vested by Act of Parliament in the Board of Trade, or in some other Department of the Government, to institute an inquiry into the causes of any accidents which may occur on Railways, with powers to call for all papers and to examine witnesses on oath; and that powers should be vested in such Department to frame and issue from time to time any regulations for the conduct of the traffic on Railways which it may deem necessary for the safety and convenience of the public; and that all Companies or persons engaged in the conduct of Railway traffic shall be bound to adhere to such regulations under such penalties as may be prescribed by Act of Parliament" (*Mr. Bentinck*), 1124; Question proposed, "That the words, &c;" after debate, Question put, and agreed to

Railway Communication between Passengers and Guards
Question, Sir William Gallwey; Answer, Mr. Milner Gibson *Mar* 16, 1741

Railway Construction Facilities Act (1864) Amendment Bill (*Mr. Whalley, Mr. M'Mahon*)
c. Bill ordered; read 1° * *Feb* 21 [Bill 37]

Railway Legislation
Question, Mr. Roebuck; Answer, The Chancellor of the Exchequer *Feb* 14, 231

Railways
Question, Mr. Scully; Answer, The Chancellor of the Exchequer *Feb* 14, 235

Railway Travelling (Ireland) Bill (*Sir Colman O'Loghlen, Colonel Dickson, Major Gavin, Mr. Stacpoole*)
c. Bill ordered; read 1° * *Mar* 10 [Bill 66]

Rating of Mines and Timber
Question, Mr. Lyall; Answer, Mr. C. P. Villiers *Feb* 24, 659

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  Bankruptcy and Insolvency (Ireland), 2R. 1222
  Courts of Justice, The New, Returns moved for, 1918
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  Question, Sir Charles Douglas; Answer, Sir George Grey *Feb* 20, 450:—Question, Sir Charles Douglas; Answer, Sir G. Grey *Feb* 27, 749

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  Question, Mr. Harvey Lewis; Answer, Mr. Cowper *Feb* 23, 600

River Waters Protection Bill
(*Lord R. Montagu, Sir FitzRoy Kelly, Mr. Ferrand, Mr. Hibbert*)
c. Bill ordered; read 1^o* *Feb* 9 [Bill 3]
  Moved, "That the Bill be now read 2^o" (*Lord R. Montagu*) *Mar* 8, 1309
  Amendt. to leave out "now," and add "upon this day six months" (*Mr. Jackson*), 1335
  After long debate, Amendt. and Motion withdrawn; Bill withdrawn

Roach River Fishery Bill
  Read 2^a after short debate *Feb* 27, 734

Roads (Scotland)
  Question, Mr. Waldegrave-Leslie; Answer, Lord Elcho *Mar* 20, 1922

Robertson, Mr. H., *Shrewsbury*
  Private Bills—Chairman's Casting Vote, 442

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  Bankruptcy Act, Select Committee moved for, 123
  Canada—Defences of—Colonel Jervois' Report, 1627
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  Question, Mr. H. Baring; Answer, Mr. Layard *Feb* 20, 450

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  Question, Mr. Clay; Answer, Mr. Milner Gibson *Feb* 14, 234:—Question, Mr. Clay; Answer, Mr. Layard *Feb* 14, 234

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  Question, Mr. Crawford; Answer, Mr. E. P. Bouverie *Feb* 17, 321

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  County Courts Equitable Jurisdiction, 2R. 1030

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  Feb 7—The Earl Cadogan, after the Death of his Father
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Seely, Mr. C., *Lincoln*
Navy—Dockyard Accounts, 1010
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l. Bill, *pro forma*, read 1ª * *Feb* 7

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On Feb. 10, Committee nominated as follows:—Mr. Dunlop, Mr. Gregory, Mr. Bonham-Carter, Lord Hotham, Mr. Mowbray, and the Chairman of the Select Committee on Standing Orders.

Selwyn, Mr. C. J., *Cambridge University*
Courts of Justice Building, Leave, 179
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Sewage Utilization Bill
(*Lord R. Montagu, Sir F. Kelly, Mr. Ferrand, Mr. Hibbert*)
c. Bill ordered; read 1º * *Feb* 9 [Bill 4]
Read 2º, after short debate, and committed to a Select Committee *Mar* 8, 1360
On March 13, Committee nominated as follows:—Lord Robert Montagu, Mr. Cowper, The Lord Advocate, Sir Colman O'Loghlen, Sir Matthew Ridley, Mr. Bright, Mr. Crum-Ewing, Mr. Hibbert, Sir FitzRoy Kelly, Sir James Fergusson, Mr. Longfield, Mr. Locke King, Mr. Selwyn, Mr. Gore Langton, and Mr. Leader

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Sheep and Cattle Bill
(*Mr. H. Fenwick, Mr. Shafto, Sir H. Williamson*)
c. Bill ordered; read 1º * *Mar* 7 [Bill 57]

Sheep, &c. Protection (Ireland) Bill
(*Sir F. Heygate, Mr. Leader, The O'Conor Don*)
c. Bill ordered; read 1º * *Feb* 24 [Bill 43]

Shelley, Sir J. V., *Westminster*
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India—Nawab of the Carnatic—Azeem Jah—Forged Signatures, Report, 1738
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Slave Trade, The
Question, Mr. Cave; Answer, Mr. Layard *Feb* 28, 846

Small Benefices (Ireland) Act (1860) Amendment Bill
(*Sir H. Cairns, Mr. Whiteside*)
c. Bill ordered; read 1° * *Feb* 13 [Bill 13]

Smith, General Sir J. M. F., *Chatham*
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Smith, Mr. Augustus, *Truro*
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Smith, Mr. J. B., *Stockport*
Timber Duties, 1480

Smithfield Market (Dublin) Bill
(*Mr. Scully, Mr. Leader*)
c. Bill ordered; read 1° * *Feb* 10 [Bill 10]

Smollett, Mr. P. B., *Dumbartonshire*
India—Madras Irrigation Company, 598;—Navigation of the Godavery, 658;—Nawab of the Carnatic—Azeem Jah—Comm. moved for, 1682
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Solicitor General, The (Sir R. P. Collier), *Plymouth*
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Stanhope, Earl
British Museum, 956, 1530
Courts of Justice, The New, Returns moved for, 1910, 1919

Stanhope, Mr. J. Banks, *Lincolnshire, N.*
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Stansfeld, Mr. J., *Halifax*
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Stracey, Sir H. J., *Great Yarmouth*
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Turkey and Persia — Boundary Negotiations, Papers moved for, 1726, 1732

Suez Canal, The
Question, Mr. Darby Griffith; Answer, Viscount Palmerston *Mar* 16, 1759

SUPPLY
- Lords Commissioners' Speech considered
- Motion, "That a Supply be granted to Her Majesty" *Feb* 9—Committee thereupon to-morrow
- Order for Committee on Motion, "That a Supply be granted to Her Majesty," read ; Lords Commissioners' Speech referred *Feb* 10 ; Resolved, "That a Supply be granted to Her Majesty
- Resolution, "That a Supply be granted to Her Majesty," reported and agreed to *Nemine Contradicente Feb* 13—Committee appointed for Wednesday
- Considered in Committee *Feb* 27 ; Committee report Progress
- Considered in Committee *Mar* 2 ; Committee report Progress
- Considered in Committee *Mar* 3 ; Committee report Progress.
- Considered in Committee ; NAVY ESTIMATES *Mar* 6 ; Statement of the Secretary of the Admiralty in moving Vote 1, 1171
  - After long debate, Committee report Progress
- Considered in Committee ; NAVY ESTIMATES *Mar* 9, 1373
- REDEMPTION OF THE SCHELDT TOLL *Mar* 9, 1456
  - After short debate, Vote agreed to
- Considered in Committee *Mar* 10 ; Committee report Progress
- Considered in Committee *Mar* 13 ; Committee report Progress
- Considered in Committee; ARMY ESTIMATES *Mar* 16 ; Statement of the Under Secretary of State for War on moving Resolution 1, 1761
  - After long debate, Committee report Progress ; to sit again To-morrow
- Considered in Committee *Mar* 17 ; Committee report Progress
- Considered in Committee ; ARMY ESTIMATES *Mar* 20

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- Army Estimates—Manufacturing Departments, 1999

SYKES, Colonel W. H., *Aberdeen City*
- Address in Answer to the Speech, 79
- Army Estimates—Land Forces, 1801, 1816 ;—Pay and Allowances, 1964 ;—Manufacturing Departments, Amendt. 1989, 1991
- China—British Subjects in the Chinese Service, 287, 1945
- Courts of Justice Building, 2R. 294
- India—Disinfecting Powder for, 450 ;—Nawab of the Carnatic—Azeem Jah, Comm. moved for, 1715
- Judicial Statistics, Scotch, 958
- Navy Estimates—Men and Boys, 1163, 1420
- New Zealand—War in, 1516
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- British Kaffraria, 2R. 1532
- Transportation to Australia, 737

Taxation of Ireland
- Select Committee re-appointed (*Colonel Dunne*) *Mar* 2, 1027

Taxation of Ireland—cont.
- And, on March 17, Committee nominated as follows :—Colonel Dunne, Sir Edward Grogan, Mr. Longfield, The O'Conor Don, Mr. Hennessy, Sir Frederick Heygate, Sir George Colthurst, Sir Robert Peel, Sir Stafford Northcote, Mr. Howes, Mr. Hankey, Mr. Lowe, and Mr. Banks Stanhope.
- On March 21, Lord John Browne added.

Theatres, &c. Bill
(*Mr. Locke, Mr. Ayrton, Mr. Denman*)
c. Ordered ; read 1° *Mar* 10, 1529 [Bill 64]

THOMPSON, Mr. H. S., *Whitby*
- Malt, Res. 1266
- Railway Accidents, Res. 1129

Timber Duties
- Question, Mr. J. B. Smith ; Answer, The Chancellor of the Exchequer *Mar* 10, 1480

TITE, Mr. W., *Bath*
- Dwellings for the Working Classes, 1526
- Main Drainage (Metropolis), 205
- Metropolitan Sewage and Essex Reclamation, 2R. 837
- Piccadilly and Park Lane New Road, 2R. 591

Took the Oath
- *Feb* 7—The Archbishop of Dublin
- *Feb* 9—The Bishop of Kilmore, &c.

TORRENS, Mr. R., *Carrickfergus*
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- Indian Staff Appointments, 1043
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Trade with Foreign Nations, Select Committee on
- Question, Mr. W. E. Forster ; Answer, Mr. Horsfall ; long debate thereon *Mar* 17, 1850

TREHERNE, Mr. M., *Coventry*
- France—Commercial Treaty with, 1748

TRELAWNY, Sir J. S., *Tavistock*
- Army Estimates—Land Forces, 1789, 1793, 1796 ;—Pay and Allowances, Amendt. 1821, 1822 ;—Martial Law, 1974, 1975 ;—Disembodied Militia, 1977
- New Zealand—Proclamation of the Governor, 1742
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Trinity Board—Steam Tugs
- Question, Mr. Cave ; Answer, Mr. Milner Gibson *Mar* 6, 1117

Turkey and Persia—The Boundary Negotiations
Motion for an Address for "Copy of the Treaty concluded at Erzeroum between Turkey and Persia in October 1847," and other Papers (*Viscount Stratford de Redcliffe*) *Mar* 16 1727; after short debate, Motion withdrawn

Turnpike Trusts
Question, Mr. Western; Answer, Sir George Grey *Feb* 10, 137

Union of Benefices Act—St. Benet, Gracechurch Street, and Allhallows, Lombard Street
Question, Mr. Crawford; Answer, Mr. E. P. Bouverie *Feb* 17, 321

Union of Benefices Act Amendment Bill
c. Motion for leave (*Mr. E. P. Bouverie*) *Mar* 9, 1458
Amendt. to leave out from "That" and add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copies of the Order in Council of the 1st day of November, 1864, for the removal of the Church of St. Benet's, Gracechurch Street:
"And, of all the Correspondence on the subject between the Archdeacon of London and the Members of the Church Estates Commissioners" (*Mr. Hubbard*), 1460
Question proposed, "That the words, &c.;" after short debate, Question put; A. 21, N. 11; M. 10

Union Chargeability Bill
(*Mr. C. P. Villiers, Sir George Grey*)
c. Motion for leave (*Mr. C. P. Villiers*), 468
Bill ordered; after debate read 1° *Feb* 20 [Bill 31]

Union Officers (Ireland) Superannuation Bill (*Sir Robert Peel, Mr. C. P. Villiers*)
c. Bill ordered; read 1°* *Mar* 7 [Bill 53]
Read 2° after debate *Mar* 17, 1907

United States
Canada and the United States, Treaties between, Amendt. on Committee of Supply *Feb* 10, "Address for Papers and Correspondence relative to the notice given by the Government of the United States of North America to terminate the Convention under which England and the United States mutually agreed not to fit out Naval Armaments upon the Canadian Lakes; also respecting the abrogation of the Treaty of Commerce between the Provinces of British North America and the United States by the late Lord Elgin" (*Sir John Walsh*), 141; after short debate, Amendt. withdrawn
Amendt. on Committee of Supply *Feb* 17, "Motion for Copies of all Papers in the possession of Her Majesty's Government, respecting the 'Reciprocity Treaty,' and the 'Bonding Act,' of dates subsequent to December, 1861" (*Mr. Watkin*), 410; Amendt. withdrawn
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VANCE, Mr. J., *Dublin City*
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VANSITTART, Mr. W., *Windsor*
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Navy Estimates—Men and Boys, 1387

WALPOLE, Right Hon. S. H., *Cambridge University*
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WARNER, Mr. E., *Norwich*
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WATKIN, Mr. E. W., *Stockport*
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Question, Mr. Locke; Answer, Mr. Cowper *Feb* 13, 208

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